

STATE OF MINNESOTA

EIGHTY-THIRD SESSION — 2004

SEVENTY-SECOND DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 10, 2004

The House of Representatives convened at 12:00 noon and was called to order by Ron Abrams, Speaker pro tempore.

Prayer was offered by Monsignor James D. Habiger, University of St. Thomas, St. Paul, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Abeler	DeLaForest	Hilstrom	Latz	Otremba	Solberg
Abrams	Demmer	Hilty	Lenczewski	Otto	Stang
Anderson, B.	Dempsey	Holberg	Lesch	Ozment	Strachan
Anderson, I.	Dill	Hoppe	Lieder	Paulsen	Swenson
Anderson, J.	Dorn	Hornstein	Lindgren	Paymar	Sykora
Atkins	Eastlund	Howes	Lindner	Pelowski	Thao
Beard	Eken	Huntley	Lipman	Penas	Thissen
Bernardy	Ellison	Jacobson	Magnus	Peterson	Tingelstad
Biernat	Entenza	Jaros	Mahoney	Pugh	Urdahl
Blaine	Erickson	Johnson, J.	Marquart	Rhodes	Vandever
Borrell	Finstad	Johnson, S.	McNamara	Rukavina	Wagenius
Boudreau	Fuller	Juhnke	Meslow	Ruth	Walz
Bradley	Gerlach	Kahn	Mullery	Samuelson	Wardlow
Brod	Goodwin	Kelliher	Murphy	Seagren	Wasiluk
Buesgens	Greiling	Klinzing	Nelson, C.	Seifert	Westerberg
Carlson	Gunther	Knoblach	Nelson, M.	Sertich	Westrom
Clark	Haas	Koenen	Nelson, P.	Sieben	Wilkin
Cornish	Hackbarth	Kohls	Newman	Simpson	Zellers
Cox	Harder	Krinkie	Nornes	Slawik	Spk. Sviggum
Davids	Hausman	Lanning	Olsen, S.	Smith	
Davnie	Heidgerken	Larson	Osterman	Soderstrom	

A quorum was present.

Adolphson; Dorman; Erhardt; Kuisle; Mariani; Olson, M.; Opatz; Powell; Severson and Walker were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Walz moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF STANDING COMMITTEES

Swenson from the Committee on Agriculture Policy to which was referred:

H. F. No. 1593, A bill for an act relating to animals; imposing limits on ownership and possession of certain dangerous animals; requiring registration; providing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 145.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [35.805] [OWNING CERTAIN REGULATED ANIMALS.]

Subdivision 1. [DEFINITIONS.] (a) The definitions in this subdivision apply to this section.

(b) "Person" means a natural person, firm, partnership, corporation, or association however organized.

(c) "Possess" means to own, care for, have custody of, or control.

(d) "Regulated animal" means:

(1) all members of the Felidae family including, but not limited to, lions, tigers, cougars, leopards, cheetahs, ocelots, and servals, but not including domestic cats or cats recognized as a domestic breed, registered as a domestic breed, and shown as a domestic breed by a national or international multibreed cat registry association;

(2) bears; and

(3) all nonhuman primates, including, but not limited to, lemurs, monkeys, chimpanzees, gorillas, orangutans, marmosets, lorises, and tamarins.

Regulated animal includes any hybrid or cross between an animal listed in clause (1), (2), or (3) and a domestic animal and offspring from all subsequent generations of those crosses or hybrids.

Subd. 2. [POSSESSION OF REGULATED ANIMALS.] (a) Except as provided in this section, it is unlawful for a person to possess a regulated animal.

(b) A person who possesses a regulated animal on the effective date of this section has 120 days to come into compliance with regulations promulgated by the United States Department of Agriculture for regulated animals under the Animal Welfare Act, Public Law 89-544, and its subsequent amendments, and the regulations adopted under that act relating to facilities and operations, animal health and husbandry, and veterinary care for regulated animals.

(c) Only a person who possesses a valid United States Department of Agriculture or Minnesota state license is allowed to breed regulated animals after the effective date of this section.

(d) A person who possesses a valid United States Department of Agriculture license or Minnesota state license and is in compliance with the United States Department of Agriculture Animal Welfare Act regulations and standards may breed, purchase, or otherwise acquire new regulated animals after the effective date of this section, or sell regulated animals to other United States Department of Agriculture licensed and compliant facilities, to persons registered under this section, or to exempt facilities under subdivision 7.

(e) If a regulated animal dies of neglect or cruelty, is seized pursuant to subdivision 5, or if the person is involved in illegal activities, the person cannot acquire a replacement animal.

(f) It is unlawful for a person in control of real property to knowingly permit another person to possess a regulated animal on that property, except in compliance with this section.

Subd. 3. [REGISTRATION.] (a) Within 60 days after the effective date of this section, a person who possesses a regulated animal must notify the board in writing using a registration form prepared by the board. The notification shall include the person's name, address, telephone number, and a complete inventory of each regulated animal that the person possesses. The inventory shall include the following information: number and species of each regulated animal; the exact location where each regulated animal is kept; and age, sex, color, weight, scars, and any distinguishing marks of each regulated animal.

(b) The board may charge an initial site inspection fee of \$50 plus an annual fee of \$25 per animal to register regulated animals up to a maximum of \$100 annually per person. The board may charge an additional site inspection fee of \$50 if the person acquires and possesses another type of regulated animal.

Subd. 4. [REQUIREMENTS.] (a) A person who possesses a regulated animal must maintain health and ownership records on each animal and must maintain the records for five years.

(b) A person who possesses a regulated animal must maintain an ongoing program of veterinary care which includes a veterinary visit to the premises at least annually.

(c) A person who possesses a regulated animal must notify the Board of Animal Health in writing within ten days of a change in address or location where the regulated animal is kept.

(d) A person who possesses a regulated animal must notify, as soon as practicable, local law enforcement officials of any escape of a regulated animal. The person who possesses the regulated animal is liable for any costs incurred by any person, city, county, or state agency resulting from the escape of a regulated animal unless the escape is due to a criminal act or a natural event.

(e) A person who possesses a regulated animal shall maintain a written recovery plan in the event of the escape of a regulated animal. The person shall maintain a tranquilizer gun, tranquilizers, live traps, or other equipment necessary to assist in the recovery of the regulated animal.

(f) If a person who possesses a regulated animal can no longer care for the animal, the person shall take steps to find long-term placement for the regulated animal.

Subd. 5. [SEIZURE.] (a) If the board determines that a person who possesses one or more regulated animals is not in compliance with the requirements of this section, the board shall provide written notice and warning to the person and commence appropriate actions to seize the animal or animals.

(b) A person notified by the board under paragraph (a) may submit to the board a written request for a temporary permit to retain custody of the animal or animals for up to 30 days, during which time the person shall take all necessary actions to come into compliance. During the 30-day period, the board may inspect, at any reasonable time, the premises where a regulated animal is kept.

(c) If a person who possesses one or more regulated animals is not in compliance with this section following the 30-day period allowed in paragraph (b), the board may seize the animal or animals on the premises. At the time of the seizure, the board must attempt to notify the owner of the regulated animal by telephone. The board must

provide written notice of the seizure by United States mail, postmarked not later than the next business day following the seizure, to the address of the property. The written notice must include:

(1) a description of the animal or animals seized;

(2) the authority and purpose for the seizure;

(3) the time, place, and circumstances under which the animal or animals were seized; and

(4) the location, address, telephone number, and other contact information where the animal is to be kept after the seizure.

(d) The notice provided to the person from whom a regulated animal was seized must include statements that:

(1) the person may post a security deposit with the board to prevent disposition or destruction of the animal or animals;

(2) the person may fill out a form provided with the notice to request a hearing concerning the seizure;

(3) failure to post a security deposit within five business days following the date of the seizure may result in disposal or other disposition of the animal; and

(4) the actual costs of care, keeping, and disposal or destruction of the regulated animal will be the responsibility of the person from whom the animal was seized, except to the extent that a court finds that the seizure or impoundment was not substantially justified under law.

(e) If a person from whom a regulated animal was seized makes a written request within five days of the seizure, a hearing to determine the validity of the seizure must be held within an additional five business days. The judge may order the return of the animal to the person from whom the animal was seized if the judge finds:

(1) the person can and will provide the care required by law for the regulated animal; and

(2) the regulated animal is physically fit.

(f) If the judge orders a permanent disposition of the regulated animal, the board may place the animal with a wildlife sanctuary, a Minnesota licensed wildlife rehabilitator, or another appropriate United States Department of Agriculture licensed facility. If no such facility is available for disposition of the animal, the board may order that the animal be destroyed.

(g) A person from whom a regulated animal is seized is liable for all the actual costs of care, keeping, and disposal or destruction of the animal, except to the extent that a judge finds that the seizure was not substantially justified by law. The costs shall be paid in full or a mutually satisfactory arrangement for payment must be made between the board and the person claiming an interest in the animal before return of the animal to the person.

(h) A person from whom a regulated animal has been seized under this subdivision may prevent disposition of the animal by posting security in the amount sufficient to provide for the actual costs of care and keeping of the animal. The security must be posted within five business days of the seizure, inclusive of the day of the seizure.

(i) If circumstances exist that threaten the life of a person or the life of another animal, the board, local law enforcement, or a local animal control authority may seize a regulated animal without providing prior notice, notice at the time of seizure, or the opportunity for a hearing or court order.

Subd. 6. [DISPOSAL OF ANIMALS.] Upon proper determination by a Minnesota licensed veterinarian, any regulated animal taken into custody under this section may be immediately disposed of when the regulated animal is suffering and is beyond cure through reasonable care and treatment. The authority taking custody of the regulated animal may recover all costs incurred under this section.

Subd. 7. [EXEMPTIONS.] This section does not apply to:

(1) fur-bearing animals, as defined in section 97A.015, possessed by a game farm that is licensed under section 97A.105 or bears possessed by a game farm that is licensed under section 97A.105;

(2) the Department of Natural Resources, or a person authorized by permit issued by the commissioner of natural resources pursuant to section 97A.401, subdivision 3;

(3) a Minnesota licensed or accredited research or medical institution; or

(4) a circus, carnival, rodeo, or county fair.

Subd. 8. [PENALTY.] The board may bring civil or criminal charges as provided in sections 35.92 to 35.96 against a person who knowingly violates provisions of this section."

Delete the title and insert:

"A bill for an act relating to animals; imposing limits on ownership and possession of certain animals; requiring registration; providing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 35."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Civil Law.

The report was adopted.

Harder from the Committee on Agriculture and Rural Development Finance to which was referred:

H. F. No. 1695, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for Farmamerica in Waseca.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [APPROPRIATION.]

\$553,000 is appropriated in fiscal year 2005 from the general fund to the Minnesota Historical Society for repair and remodeling of the Minnesota Agricultural Interpretive Center in Waseca."

Delete the title and insert:

"A bill for an act relating to appropriations; appropriating money for the Minnesota Agricultural Interpretive Center in Waseca."

With the recommendation that when so amended the bill be re-referred to the Committee on Jobs and Economic Development Finance without further recommendation.

The report was adopted.

Boudreau from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1702, A bill for an act relating to health; modifying provisions relating to emergency medical services; amending Minnesota Statutes 2002, sections 144E.01, subdivision 1; 144E.265, subdivision 2; 144E.27, subdivisions 1, 2; 144E.286, by adding a subdivision; 144E.305, subdivision 2; 144E.46; Minnesota Statutes 2003 Supplement, section 144E.41; repealing Minnesota Statutes 2002, sections 144E.27, subdivision 4; 144E.286, subdivisions 1, 2; Minnesota Rules, parts 4690.1500, subpart 3; 4690.7900, subpart 6.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Boudreau from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1729, A bill for an act relating to child care assistance; amending Minnesota Statutes 2002, section 119B.03, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2002, section 119B.09, is amended by adding a subdivision to read:

Subd. 11. [TEMPORARY INELIGIBILITY.] Counties must reserve a family's position under the child care assistance fund if a family has been receiving child care assistance but is temporarily ineligible for assistance. Employed participants may be temporarily ineligible for a maximum of one academic quarter or semester, as determined by the education institution. Activated military personnel may be temporarily ineligible until deactivation. A county may reserve an employed or student family's position, and must reserve a military family's position, on the basic sliding fee waiting list under the child care assistance fund if a family is approved to receive child care assistance and reaches the top of the waiting list but is temporarily ineligible for assistance.

[EFFECTIVE DATE.] This section is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to child care assistance; providing for a family's temporary ineligibility for child care assistance; amending Minnesota Statutes 2002, section 119B.09, by adding a subdivision."

With the recommendation that when so amended the bill pass.

The report was adopted.

Hackbarth from the Committee on Environment and Natural Resources Policy to which was referred:

H. F. No. 1751, A bill for an act relating to the environment; modifying project environmental review; amending Minnesota Statutes 2002, section 116D.04, subdivision 5a; Minnesota Statutes 2003 Supplement, section 116D.04, subdivision 2a.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Environment and Natural Resources Finance.

The report was adopted.

Boudreau from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1754, A bill for an act relating to human services; requiring a planned nursing facility closure to be budget neutral; amending Minnesota Statutes 2002, section 256B.437, subdivision 3.

Reported the same back with the following amendments:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 2002, section 256B.431, subdivision 10, is amended to read:

Subd. 10. [PROPERTY RATE ADJUSTMENTS AND CONSTRUCTION PROJECTS.] A nursing facility's request for a property-related payment rate adjustment and the related supporting documentation of project construction cost information must be submitted to the commissioner within 60 days after the construction project's completion date to be considered eligible for a property-related payment rate adjustment. The commissioner shall provide a rate notice reflecting the allowable costs within 60 days after receiving all the necessary information to compute the rate adjustment. No sooner than the effective date of the rate adjustment for the building project, a nursing facility may adjust its rates by the amount anticipated to be allowed. Any amounts collected from private pay residents in excess of the allowable rate must be repaid to private pay residents with interest at the rate used by the commissioner of revenue for the late payment of taxes and in effect on the date the rate increase is effective. Construction projects with completion dates within one year of the completion date associated with the property rate adjustment request and phased projects with project completion dates within three years of the last phase of the phased project must be aggregated for purposes of the minimum thresholds in subdivisions 16 and 17, and the maximum threshold in section 144A.071, subdivision 2. "Construction project" and "project construction costs" have the meanings given them in Minnesota Statutes, section 144A.071, subdivision 1a."

Page 2, line 4, delete "is budget neutral" and insert "has no cost"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "be budget neutral" and insert "have no cost to the state; changing a property rate adjustment provision for nursing facilities"

Page 1, line 4, delete "section" and insert "sections 256B.431, subdivision 10;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Davids from the Committee on Commerce, Jobs and Economic Development to which was referred:

H. F. No. 1798, A bill for an act relating to state government; the Office of the Secretary of State; simplifying filing procedures; eliminating certain filing requirements; requiring electronic registration after December 31, 2004; appropriating money; amending Minnesota Statutes 2002, sections 184.30; 302A.821, subdivisions 1, 2, 4; 317A.823, subdivision 1, by adding a subdivision; 322B.960, subdivisions 1, 2, 5; 325A.06, subdivision 1; 326.40, subdivision 2; 326.48, subdivision 3; 330.01, subdivision 1; 330.08; 330.09; 336.9-525; 340A.416, subdivision 4; 359.01; 359.071; 398.10.

Reported the same back with the following amendments:

Page 3, after line 36, insert:

"Sec. 5. Minnesota Statutes 2002, section 308A.995, subdivision 5, is amended to read:

Subd. 5. [REINSTATEMENT.] A cooperative may, ~~within one year of the date of dissolution under this section,~~ retroactively reinstate its existence by filing a single annual registration and paying a \$25 fee. Filing the annual registration with the secretary of state:

(1) returns the cooperative to active status as of the date of the dissolution;

(2) validates contracts or other acts within the authority of the articles, and the cooperative is liable for those contracts or acts; and

(3) restores to the cooperative all assets and rights of the cooperative and its shareholders or members to the extent they were held by the cooperative and its shareholders or members before the dissolution occurred, except to the extent that assets or rights were affected by acts occurring after the dissolution or sold or otherwise distributed after that time.

Sec. 6. Minnesota Statutes 2003 Supplement, section 308B.121, subdivision 5, is amended to read:

Subd. 5. [REINSTATEMENT.] A cooperative may, ~~within one year of the date of dissolution under this section,~~ retroactively reinstate its existence by filing a single annual registration and paying a \$25 fee. Filing the annual registration with the secretary of state:

(1) returns the cooperative to active status as of the date of the dissolution;

(2) validates contracts or other acts within the authority of the articles and the cooperative is liable for those contracts or acts; and

(3) restores to the cooperative all assets and rights of the cooperative and its shareholders or members to the extent they were held by the cooperative and its shareholders or members before the dissolution occurred, except to the extent that assets or rights were affected by acts occurring after the dissolution or sold or otherwise distributed after that time."

Page 11, line 27, delete the new language

Page 11, line 28, delete the new language and strike the old language

Page 11, strike line 29

Page 11, line 30, strike "behalf" and insert "governor will appoint and commission notaries public and the secretary of state shall receive applications for appointments and commissions, shall keep a register of those persons appointed and commissioned as notaries public by the governor with the advice and consent of the senate, shall update that register when informed of a change in name and address by a notary public, shall process applications by a notary public for reappointment, shall receive fees for the performance of these functions to be deposited into the general fund, and shall perform those clerical and administrative duties associated with these functions. The governor may also receive such applications directly"

Page 11, line 31, before "The" insert "(a)"

Page 12, after line 5, insert:

"(b) The secretary of state shall receive applications for nonresident notary appointments and commissions, shall keep a register of those persons appointed and commissioned as notaries public by the governor with the advice and consent of the senate, shall update that register when informed of a change in name and address by a notary public, shall process applications by a notary public for reappointment, shall receive fees for the performance of these functions to be deposited into the general fund, and shall perform those clerical and administrative duties associated with these functions. The governor may also receive such applications directly."

Page 13, delete lines 16 and 17, and insert:

"Sections 2 to 4, and 7 to 10 are effective January 1, 2004. Sections 5 and 6 are effective the day following final enactment. Sections 20 and 21 are effective July 1, 2005."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "regulating notary appointments and commissions;"

Page 1, line 7, after the second semicolon, insert "308A.995, subdivision 5;"

Page 1, line 12, before the period, insert "; Minnesota Statutes 2003 Supplement, section 308B.121, subdivision 5"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Civil Law.

The report was adopted.

Sykora from the Committee on Education Policy to which was referred:

H. F. No. 1868, A bill for an act relating to elections; providing for periodic uniform election days for state and local elections, other than special elections to fill a vacancy; amending Minnesota Statutes 2002, sections 205.10, subdivision 3; 205A.05, subdivision 1; 373.40, subdivision 2; 375.20; 458.40; 469.053, subdivision 5; 469.0724; 469.190, subdivision 5; 475.58, subdivisions 1, 1a; 475.59; Minnesota Statutes 2003 Supplement, sections 465.82, subdivision 2; 465.84; 475.521, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 204D; 205; 205A; repealing Minnesota Statutes 2002, sections 204C.05, subdivisions 1a, 1b; 205.175; 205A.09.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1

UNIFORM STATE AND LOCAL ELECTION DATES

Section 1. [204D.035] [PERIODIC UNIFORM ELECTION DAY.]

Subdivision 1. [SHORT TITLE.] This section may be referred to as the "Periodic Uniform Election Day Act of 2004."

Subd. 2. [ELECTIONS COVERED.] This section applies to all state, county, municipal, school district, and any other political subdivision elections held in the state of Minnesota, and elections on ballot questions, except for (i) elections held to fill a vacancy in office and required by statute to be held sooner than the next day designated in subdivision 3, or (ii) elections conducted by mail.

Subd. 3. [ELECTIONS ON DESIGNATED DAYS.] (a) Notwithstanding other law to the contrary, elections covered in subdivision 2 may be held only on the following days:

(1) the second Tuesday in March;

(2) the third Tuesday in May;

(3) the first Tuesday after the second Monday in September; and

(4) the first Tuesday after the first Monday in November.

(b) The time period in which a special election must be conducted under any other law or charter provision must be extended to conform to the requirements of this subdivision.

Subd. 4. [PRIMARY DATE IF NOT SPECIFIED.] If other law provides for a primary to take place for a particular office but does not specify the date of the primary, the primary may be held on one of the days specified in subdivision 3, clauses (1) to (3). The general election for the office must be held on the date listed in subdivision 3 that immediately follows the date chosen for the primary.

Subd. 5. [ELECTION TIMES AND POLLING PLACES.] An election held in a jurisdiction on one of the days specified in subdivision 3 must be held during the hours determined under section 204C.05.

Subd. 6. [APPLICABLE LAWS.] Except as otherwise provided by this section, Minnesota election law remains applicable to elections held on any of the days listed in subdivision 3.

Sec. 2. [EFFECTIVE DATE.]

This article is effective January 1, 2005.

ARTICLE 2

CONFORMING AMENDMENTS

Section 1. Minnesota Statutes 2003 Supplement, section 123B.63, subdivision 3, is amended to read:

Subd. 3. [CAPITAL PROJECT LEVY REFERENDUM.] A district may levy the local tax rate approved by a majority of the electors voting on the question to provide funds for an approved project. The election must take place no more than five years before the estimated date of commencement of the project. The referendum must be held on a date ~~set by the board~~ specified under section 204D.035, subdivision 3. A referendum for a project not receiving a positive review and comment by the commissioner under section 123B.71 must be approved by at least 60 percent of the voters at the election. The referendum may be called by the school board and may be held:

(1) separately, before an election for the issuance of obligations for the project under chapter 475; or

(2) in conjunction with an election for the issuance of obligations for the project under chapter 475; or

(3) notwithstanding section 475.59, as a conjunctive question authorizing both the capital project levy and the issuance of obligations for the project under chapter 475. Any obligations authorized for a project may be issued within five years of the date of the election.

The ballot must provide a general description of the proposed project, state the estimated total cost of the project, state whether the project has received a positive or negative review and comment from the commissioner, state the maximum amount of the capital project levy as a percentage of net tax capacity, state the amount that will be raised by that local tax rate in the first year it is to be levied, and state the maximum number of years that the levy authorization will apply.

The ballot must contain a textual portion with the information required in this section and a question stating substantially the following:

"Shall the capital project levy proposed by the board of School District No. be approved?"

If approved, the amount provided by the approved local tax rate applied to the net tax capacity for the year preceding the year the levy is certified may be certified for the number of years approved.

In the event a conjunctive question proposes to authorize both the capital project levy and the issuance of obligations for the project, appropriate language authorizing the issuance of obligations must also be included in the question.

The district must notify the commissioner of the results of the referendum.

Sec. 2. Minnesota Statutes 2002, section 126C.17, subdivision 11, is amended to read:

Subd. 11. [REFERENDUM DATE.] (a) Except for a referendum held under paragraph (b), any referendum under this section held on a day other than the first Tuesday after the first Monday in November must be conducted by mail in accordance with section 204B.46. Notwithstanding subdivision 9, paragraph (b), to the contrary, in the case of a referendum conducted by mail under this paragraph, the notice required by subdivision 9, paragraph (b), must be prepared and delivered by first-class mail at least 20 days before the referendum.

(b) In addition to the referenda allowed in subdivision 9, clause (a), the commissioner may grant authority to a district to hold a referendum on a different day if the district is in statutory operating debt and has an approved plan or has received an extension from the department to file a plan to eliminate the statutory operating debt. A referendum must be held on a date specified under section 204D.035, subdivision 3.

(c) The commissioner must approve, deny, or modify each district's request for a referendum levy on a different day within 60 days of receiving the request from a district.

Sec. 3. Minnesota Statutes 2002, section 204C.05, is amended by adding a subdivision to read:

Subd. 1c. [ELECTIONS; MUNICIPALITIES AND SCHOOL DISTRICTS.] The governing body of a municipality or school district may, by resolution, designate the time during which the polling places will remain open for voting at the next succeeding and all later municipal or school district elections that are not held at the same time as the state primary or state general election. All polling places must be open at least between the hours of 10:00 a.m. and 8:00 p.m. The resolution remains in effect until revoked by the governing board or a petition from voters is filed under this subdivision. If a petition requesting longer voting hours for any election is signed by a number of voters equal to 20 percent of the votes cast in the last municipal or school district general election, whichever applies, and filed with the appropriate municipal or school district clerk no later than 30 days before an election, then the polling places for that election must open at 7:00 a.m. and close at 8:00 p.m. The municipal or school district clerk must give ten days published and posted notice of the change in hours and notify the appropriate county auditors of the change.

Sec. 4. Minnesota Statutes 2002, section 205.10, subdivision 3, is amended to read:

Subd. 3. [PROHIBITION.] ~~No~~ A special election authorized under subdivision 1 may be held ~~within 40 days after the state general election~~ only on one of the dates specified in section 204D.035, subdivision 3.

Sec. 5. [205.176] [VOTING HOURS.]

In all municipal elections the hours for voting must be determined as provided by section 204C.05.

Sec. 6. Minnesota Statutes 2002, section 205A.05, subdivision 1, is amended to read:

Subdivision 1. [QUESTIONS.] Special elections must be held for a school district on a question on which the voters are authorized by law to pass judgment. The school board may on its own motion call a special election to vote on any matter requiring approval of the voters of a district. Upon petition of 50 or more voters of the school district or five percent of the number of voters voting at the preceding regular school district election, the school board shall by resolution call a special election to vote on any matter requiring approval of the voters of a district. A question is carried only with the majority in its favor required by law. The election officials for a special election are the same as for the most recent school district general election unless changed according to law. Otherwise, special elections must be conducted and the returns made in the manner provided for the school district general election. ~~A special election may not be held during the 30 days before and the 30 days after the state primary, during the 30 days before and the 40 days after the state general election. In addition, a special election may not be held during the 20 days before and the 20 days after any regularly scheduled election of a municipality wholly or partially within the school district. A special election under this subdivision must be held only on one of the dates specified in section 204D.035, subdivision 3.~~ A special election under this subdivision must be held only on one of the dates specified in section 204D.035, subdivision 3. Notwithstanding any other law to the contrary, the time period in which a special election must be conducted under any other law may be extended by the school board to conform with the requirements of this subdivision.

Sec. 7. [205A.095] [HOURS FOR VOTING.]

The hours for voting in school district elections must be determined as provided by section 204C.05.

Sec. 8. Minnesota Statutes 2002, section 373.40, subdivision 2, is amended to read:

Subd. 2. [APPLICATION OF ELECTION REQUIREMENT.] (a) Bonds issued by a county to finance capital improvements under an approved capital improvement plan are not subject to the election requirements of section 375.18 or 475.58. The bonds must be approved by vote of at least three-fifths of the members of the county board. In the case of a metropolitan county, the bonds must be approved by vote of at least two-thirds of the members of the county board.

(b) Before issuance of bonds qualifying under this section, the county must publish a notice of its intention to issue the bonds and the date and time of a hearing to obtain public comment on the matter. The notice must be published in the official newspaper of the county or in a newspaper of general circulation in the county. The notice must be published at least 14, but not more than 28, days before the date of the hearing.

(c) A county may issue the bonds only upon obtaining the approval of a majority of the voters voting on the question of issuing the obligations, if a petition requesting a vote on the issuance is signed by voters equal to five percent of the votes cast in the county in the last general election and is filed with the county auditor within 30 days after the public hearing. The commissioner of revenue shall prepare a suggested form of the question to be presented at the election. The election may be held only on one of the dates specified in section 204D.035, subdivision 3.

Sec. 9. Minnesota Statutes 2002, section 375.20, is amended to read:

375.20 [BALLOT QUESTIONS.]

If the county board may do an act, incur a debt, appropriate money for a purpose, or exercise any other power or authority, only if authorized by a vote of the people, the question may be submitted at a special or general election, by a resolution specifying the matter or question to be voted upon. If the question is to authorize the appropriation of money, creation of a debt, or levy of a tax, it shall state the amount. Notice of the election shall be given as in the case of special elections. If the question submitted is adopted, the board shall pass an appropriate resolution to carry it into effect. In the election the form of the ballot shall be: "In favor of (here state the substance of the resolution to be submitted), Yes No.....," with a square opposite each of the words "yes" and "no," in one of which the voter shall mark an "X" to indicate a choice. The county board may call a special county election upon a question to be held ~~within 60 days~~ on any date specified by section 204D.035, subdivision 3, after a resolution to that effect is adopted by the county board. Upon the adoption of the resolution the county auditor shall post and publish notices of the election, as required by section 204D.22, subdivisions 2 and 3. The election shall be conducted and the returns canvassed in the manner prescribed by sections 204D.20 to 204D.27, so far as practicable.

Sec. 10. Minnesota Statutes 2002, section 458.40, is amended to read:

458.40 [MUST VOTE TO ISSUE BONDS IF CHARTER SAYS SO.]

If a charter adopted under the Minnesota Constitution, article IV, section 36, article XI, section 4, or article XII, section 5, has a provision that requires the question of the issuance of bonds to be submitted to the electors, the provision prevails over sections 458.36 to 458.40. The question must be submitted to the voters on one of the dates specified in section 204D.035, subdivision 3, notwithstanding any contrary provision in the charter regarding the date of submission.

Sec. 11. Minnesota Statutes 2003 Supplement, section 465.82, subdivision 2, is amended to read:

Subd. 2. [CONTENTS OF PLAN.] The plan must state:

- (1) the specific cooperative activities the units will engage in during the first two years of the venture;
- (2) the steps to be taken to effect the merger of the governmental units, with completion no later than four years after the process begins;
- (3) the steps by which a single governing body will be created or, when the entire territory of a unit will be apportioned between or among two or more units contiguous to the unit that is to be apportioned, the steps to be taken by the governing bodies of the remaining units to provide for representation of the residents of the apportioned unit;
- (4) changes in services provided, facilities used, and administrative operations and staffing required to effect the preliminary cooperative activities and the final merger, and a two-, five-, and ten-year projection of expenditures for each unit if it combined and if it remained separate;
- (5) treatment of employees of the merging governmental units, specifically including provisions for reassigning employees, dealing with exclusive representatives, and providing financial incentives to encourage early retirements;
- (6) financial arrangements for the merger, specifically including responsibility for debt service on outstanding obligations of the merging units;

(7) one- and two-year impact analyses, prepared by the granting state agency at the request of the local government unit, of major state aid revenues received for each unit if it combined and if it remained separate, including an impact analysis, prepared by the Department of Revenue, of any property tax revenue implications associated with tax increment financing districts and fiscal disparities under chapter 276A or 473F resulting from the merger;

(8) procedures for a referendum to be held on a date specified in section 204D.035, subdivision 3, before the proposed combination to approve combining the local government units, specifically stating whether a majority of those voting in each district proposed for combination or a majority of those voting on the question in the entire area proposed for combination is needed to pass the referendum; and

(9) a time schedule for implementation.

Notwithstanding clause (3) or any other law to the contrary, all current members of the governing bodies of the local government units that propose to combine under sections 465.81 to 465.86 may serve on the initial governing body of the combined unit until a gradual reduction in membership is achieved by foregoing election of new members when terms expire until the number permitted by other law is reached.

Sec. 12. Minnesota Statutes 2003 Supplement, section 465.84, is amended to read:

465.84 [REFERENDUM.]

During the first or second year of cooperation, a referendum on the question of combination must be conducted. The referendum must be on a date specified by section 204D.035, subdivision 3, and called by the governing bodies of the units that propose to combine. The referendum must be conducted according to the Minnesota Election Law, as defined in section 200.01. If the referendum fails, the same question or a modified question may be submitted the following year. If the referendum fails again, the same question may not be submitted. Referendums shall be conducted on the same date in all local government units.

Sec. 13. Minnesota Statutes 2002, section 469.053, subdivision 5, is amended to read:

Subd. 5. [REVERSE REFERENDUM.] A city may increase its levy for port authority purposes under subdivision 4 only as provided in this subdivision. Its city council must first pass a resolution stating the proposed amount of levy increase. The city must then publish the resolution together with a notice of public hearing on the resolution for two successive weeks in its official newspaper or, if none exists, in a newspaper of general circulation in the city. The hearing must be held two to four weeks after the first publication. After the hearing, the city council may decide to take no action or may adopt a resolution authorizing the proposed increase or a lesser increase. A resolution authorizing an increase must be published in the city's official newspaper or, if none exists, in a newspaper of general circulation in the city. The resolution is not effective if a petition requesting a referendum on the resolution is filed with the city clerk within 30 days of publication of the resolution. The petition must be signed by voters equaling five percent of the votes cast in the city in the last general election. The resolution is effective if approved by a majority of those voting on the question. The commissioner of revenue shall prepare a suggested form of referendum question. The referendum must be held at a special or general election ~~before October 1~~ on a date specified in section 204D.035, subdivision 3, of the year for which the levy increase is proposed.

Sec. 14. Minnesota Statutes 2002, section 469.0724, is amended to read:

469.0724 [GENERAL OBLIGATION BONDS.]

The port authority of Cannon Falls or Redwood Falls must not proceed with the sale of general obligation tax supported bonds until the city council by resolution approves the proposed issuance. The resolution must be published in the official newspaper. If, within 30 days after the publication, a petition signed by voters equal in

number to ten percent of the number of voters at the last regular city election is filed with the city clerk, the city and port authority must not issue the general obligation tax supported bonds until the proposition has been approved by a majority of the votes cast on the question at a regular or special election held on one of the dates specified in section 204D.035, subdivision 3.

Sec. 15. Minnesota Statutes 2002, section 469.190, subdivision 5, is amended to read:

Subd. 5. [REVERSE REFERENDUM.] If the county board passes a resolution under subdivision 4 to impose the tax, the resolution must be published for two successive weeks in a newspaper of general circulation within the unorganized territory, together with a notice fixing a date for a public hearing on the proposed tax.

The hearing must be held not less than two weeks nor more than four weeks after the first publication of the notice. After the public hearing, the county board may determine to take no further action, or may adopt a resolution authorizing the tax as originally proposed or approving a lesser rate of tax. The resolution must be published in a newspaper of general circulation within the unorganized territory. The voters of the unorganized territory may request a referendum on the proposed tax by filing a petition with the county auditor within 30 days after the resolution is published. The petition must be signed by voters who reside in the unorganized territory. The number of signatures must equal at least five percent of the number of persons voting in the unorganized territory in the last general election. If such a petition is timely filed, the resolution is not effective until it has been submitted to the voters residing in the unorganized territory at a general or special election held on one of the dates specified in section 204D.035, subdivision 3, and a majority of votes cast on the question of approving the resolution are in the affirmative. The commissioner of revenue shall prepare a suggested form of question to be presented at the referendum.

Sec. 16. Minnesota Statutes 2003 Supplement, section 475.521, subdivision 2, is amended to read:

Subd. 2. [ELECTION REQUIREMENT.] (a) Bonds issued by a city to finance capital improvements under an approved capital improvements plan are not subject to the election requirements of section 475.58. The bonds are subject to the net debt limits under section 475.53. The bonds must be approved by an affirmative vote of three-fifths of the members of a five-member city council. In the case of a city council having more than five members, the bonds must be approved by a vote of at least two-thirds of the city council.

(b) Before the issuance of bonds qualifying under this section, the city must publish a notice of its intention to issue the bonds and the date and time of the hearing to obtain public comment on the matter. The notice must be published in the official newspaper of the city or in a newspaper of general circulation in the city. Additionally, the notice may be posted on the official Web site, if any, of the city. The notice must be published at least 14 but not more than 28 days before the date of the hearing.

(c) A city may issue the bonds only after obtaining the approval of a majority of the voters voting on the question of issuing the obligations, if a petition requesting a vote on the issuance is signed by voters equal to five percent of the votes cast in the city in the last general election and is filed with the city clerk within 30 days after the public hearing. The commissioner of revenue shall prepare a suggested form of the question to be presented at the election. The election must be held on one of the dates specified by section 204D.035, subdivision 3.

Sec. 17. Minnesota Statutes 2002, section 475.58, subdivision 1, is amended to read:

Subdivision 1. [APPROVAL BY ELECTORS; EXCEPTIONS.] Obligations authorized by law or charter may be issued by any municipality upon obtaining the approval of a majority of the electors voting at a special or general election held on one of the dates specified in section 204D.035, subdivision 3, on the question of issuing the obligations, but an election shall not be required to authorize obligations issued:

(1) to pay any unpaid judgment against the municipality;

(2) for refunding obligations;

(3) for an improvement or improvement program, which obligation is payable wholly or partly from the proceeds of special assessments levied upon property specially benefited by the improvement or by an improvement within the improvement program, or of taxes levied upon the increased value of property within a district for the development of which the improvement is undertaken, including obligations which are the general obligations of the municipality, if the municipality is entitled to reimbursement in whole or in part from the proceeds of such special assessments or taxes and not less than 20 percent of the cost of the improvement or the improvement program is to be assessed against benefited property or is to be paid from the proceeds of federal grant funds or a combination thereof, or is estimated to be received from such taxes within the district;

(4) payable wholly from the income of revenue producing conveniences;

(5) under the provisions of a home rule charter which permits the issuance of obligations of the municipality without election;

(6) under the provisions of a law which permits the issuance of obligations of a municipality without an election;

(7) to fund pension or retirement fund liabilities pursuant to section 475.52, subdivision 6;

(8) under a capital improvement plan under section 373.40; and

(9) under sections 469.1813 to 469.1815 (property tax abatement authority bonds), if the proceeds of the bonds are not used for a purpose prohibited under section 469.176, subdivision 4g, paragraph (b).

Sec. 18. Minnesota Statutes 2002, section 475.58, subdivision 1a, is amended to read:

Subd. 1a. [RESUBMISSION LIMITATION.] If the electors do not approve the issuing of obligations at an election required by subdivision 1, the question of authorizing the obligations for the same purpose and in the same amount may not be submitted to the electors ~~within a period of~~ until a special or general election held on a date specified in section 204D.035, subdivision 3, and not sooner than 180 days from the date the election was held. If the question of authorizing the obligations for the same purpose and in the same amount is not approved a second time it may not be submitted to the electors within a period of one year after the second election.

Sec. 19. Minnesota Statutes 2002, section 475.59, is amended to read:

475.59 [MANNER OF SUBMISSION; NOTICE.]

When the governing body of a municipality resolves to issue bonds for any purpose requiring the approval of the electors, it shall provide for submission of the proposition of their issuance at a general or special election held on a date specified by section 204D.035, subdivision 3, or at a town or school district meeting. Notice of such election or meeting shall be given in the manner required by law and shall state the maximum amount and the purpose of the proposed issue. In any school district, the school board or board of education may, according to its judgment and discretion, submit as a single ballot question or as two or more separate questions in the notice of election and ballots the proposition of their issuance for any one or more of the following, stated conjunctively or in the alternative: acquisition or enlargement of sites, acquisition, betterment, erection, furnishing, equipping of one or more new schoolhouses, remodeling, repairing, improving, adding to, betterment, furnishing, equipping of one or more existing schoolhouses. In any city, town, or county, the governing body may, according to its judgment and discretion, submit as a single ballot question or as two or more separate questions in the notice of election and ballots the proposition of their issuance, stated conjunctively or in the alternative, for the acquisition, construction, or improvement of any facilities at one or more locations.

Sec. 20. [REPEALER.]

Minnesota Statutes 2002, sections 204C.05, subdivisions 1a and 1b; 205.175; and 205A.09, are repealed.

Sec. 21. [EFFECTIVE DATE.]

This article is effective January 1, 2005."

Delete the title and insert:

"A bill for an act relating to elections; providing for periodic uniform election days for state and local elections, other than special elections to fill a vacancy; amending Minnesota Statutes 2002, sections 126C.17, subdivision 11; 204C.05, by adding a subdivision; 205.10, subdivision 3; 205A.05, subdivision 1; 373.40, subdivision 2; 375.20; 458.40; 469.053, subdivision 5; 469.0724; 469.190, subdivision 5; 475.58, subdivisions 1, 1a; 475.59; Minnesota Statutes 2003 Supplement, sections 123B.63, subdivision 3; 465.82, subdivision 2; 465.84; 475.521, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 204D; 205; 205A; repealing Minnesota Statutes 2002, sections 204C.05, subdivisions 1a, 1b; 205.175; 205A.09."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Local Government and Metropolitan Affairs.

The report was adopted.

Dempsey from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 1901, A bill for an act relating to eminent domain; awarding attorney fees to landowner when damage award exceeds original offer by 20 percent; requiring primary necessity before property may be taken for public purpose; amending Minnesota Statutes 2002, section 117.075; Minnesota Statutes 2003 Supplement, section 117.036, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2003 Supplement, section 117.036, is amended by adding a subdivision to read:

Subd. 4. [ATTORNEY FEES.] In addition to other fees or expenses authorized by this section, the owner may be awarded reasonable attorney fees if the final judgment or award for damages, as determined at any level in the eminent domain process, exceeds the last written offer of compensation made by the condemning authority prior to the filing of the petition or the amount deposited with the court by 20 percent or more.

Sec. 2. Minnesota Statutes 2002, section 117.075, is amended to read:

117.075 [COURT TO APPOINT COMMISSIONERS.]

Subdivision 1. [HEARING ON NECESSITY, PURPOSE.] Upon proof being filed of the service of such notice, the court, at the time and place therein fixed or to which the hearing may be adjourned, shall hear all competent evidence offered for or against the granting of the petition, regulating the order of proof as it may deem best.

Subd. 2. [EVIDENCE.] Except as provided in subdivision 3, if the proposed taking shall appear to be necessary and such as is authorized by law, the court by an order shall appoint three disinterested commissioners, and at least two alternates, to ascertain and report the amount of damages that will be sustained by the several owners on account of such taking.

Subd. 3. [EVIDENCE; PROPERTY TAKEN FOR TRANSFER TO ENTITY WITHOUT TAKING AUTHORITY.] (a) If all or a portion of the property proposed to be taken may be sold, leased, licensed, transferred, or otherwise conveyed to a person or entity without the power of eminent domain, the court shall not authorize the taking unless the petitioner proves by a preponderance of the evidence that the taking is reasonably necessary, the taking is authorized by law and is for a public, not private, purpose. In the event that the court determines that a taking is not reasonably necessary, is not authorized by law, or is not for a public purpose, the owner may recover from the petitioner reasonable costs and expenses including attorney fees.

(b) This subdivision does not apply to public service corporations, public utilities, gas, electric, telephone or cable communication companies, cooperative associations, natural gas pipelines, and crude oil or petroleum products pipelines that have the right of eminent domain under federal or Minnesota law. This subdivision also does not apply to municipal utilities, municipalities operating municipally owned utilities, or municipal power agencies when the exercise of the powers of eminent domain are for the acquisition of property to be used exclusively for utility operations.

Subd. 4. [COMMISSIONER QUALIFICATIONS.] Before appointing a commissioner, the court shall inquire whether each prospective commissioner has any relationship, business or otherwise, to any of the parties in the proceeding, or any interest in the proceeding which may constitute a conflict of interest, or which may create the appearance of impropriety should that person be appointed. Responses to this inquiry must be either written or on the record and made available by the court to any party in the proceeding before and after appointment. No person who might have difficulty in rendering an unbiased decision may be appointed to serve. The court, in its discretion, may appoint one registered, practicing attorney to the commission who is knowledgeable in eminent domain matters. All other commissioners appointed must be persons actively engaged in the occupation of real estate sales or real estate appraising or persons knowledgeable in real estate values.

Subd. 5. [FIRST MEETING; OATH.] The order shall fix the time and place of the first meeting of the three commissioners and prescribe their compensation. At the first meeting at the office of the court administrator of district court the appointees must be sworn by the court administrator or an authorized deputy and shall take and sign the following oath before assuming their duties as commissioners:

(TITLE OF PROCEEDING)

..... does swear under penalty of perjury as follows:

I will faithfully and justly perform to the best of my ability, all the duties of the office and trust which I now assume as commissioner in the above entitled proceeding. I further swear that, except as disclosed in writing or on the record, I have no interest in any of the lands in the above proceeding or any present or past relationship, business or personal, with any of the parties to the above proceeding or any other actual or potential conflict of interest, and that I will render fair and impartial decisions, so help me God.

Subd. 6. [COURT ORDER MAY LIMIT ACQUISITION.] The order may, in the discretion of the court, limit the title or easement to be acquired by the petitioner by defining the rights and privileges which the owner of any of the lands may exercise therein in subordination to the public uses to which it is appropriated.

Subd. 7. [REPLACEMENT OF COMMISSIONER.] In case any commissioner fails to act or fails to meet the qualifications required by this section, the court without further notice may appoint another in that commissioner's place.

Subd. 8. [APPLICATION TO BE A COMMISSIONER.] The court administrator of court in each county shall post in the courthouse in a prominent place a notice that a qualified person may apply to have the person's name placed upon a list of potential commission appointees for eminent domain proceedings. The notice must contain the language of the oath which the commissioners are required to take upon appointment and shall list the other qualifications set forth in this section. The court shall give due consideration to the names appearing on the list, but is not bound to make appointments from the list.

Sec. 3. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to eminent domain; changing certain attorney fee requirements and provisions for taking for public purposes; amending Minnesota Statutes 2002, section 117.075; Minnesota Statutes 2003 Supplement, section 117.036, by adding a subdivision."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Transportation Finance.

The report was adopted.

Sykora from the Committee on Education Policy to which was referred:

H. F. No. 1915, A bill for an act relating to education; allowing students to carry nonsyringe injectors of epinephrine; amending Minnesota Statutes 2002, section 121A.22, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 121A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2002, section 121A.22, subdivision 2, is amended to read:

Subd. 2. [EXCLUSIONS.] In addition, this section does not apply to drugs or medicine that are:

- (1) ~~that can be~~ purchased without a prescription;
- (2) ~~that are~~ used by a pupil who is 18 years old or older;
- (3) ~~that are~~ used in connection with services for which a minor may give effective consent, including section 144.343, subdivision 1, and any other law;
- (4) ~~that are~~ used in situations in which, in the judgment of the school personnel who are present or available, the risk to the pupil's life or health is of such a nature that drugs or medicine should be given without delay;

(5) ~~that are~~ used off the school grounds;

(6) ~~that are~~ used in connection with athletics or extra curricular activities;

(7) ~~that are~~ used in connection with activities that occur before or after the regular school day;

(8) ~~that are~~ provided or administered by a public health agency ~~in order~~ to prevent or control an illness or a disease outbreak as provided for in sections 144.05 and 144.12; ~~or~~

(9) ~~that are~~ prescription asthma or reactive airway disease medications self-administered by a pupil with an asthma inhaler if the district has received a written authorization from the pupil's parent permitting the pupil to self-administer the medication, the inhaler is properly labeled for that student, and the parent has not requested school personnel to administer the medication to the pupil. The parent must submit written authorization for the pupil to self-administer the medication each school year; or

(10) prescription nonsyringe injectors of epinephrine, consistent with section 122A.2205, if the parent and prescribing medical professional annually inform the pupil's school in writing that (i) the pupil may possess the epinephrine or (ii) the pupil is unable to possess the epinephrine and requires immediate access to nonsyringe injectors of epinephrine that the parent provides properly labeled to the school for the pupil as needed.

Sec. 2. [122A.2205] [POSSESSION AND USE OF NONSYRINGE INJECTORS OF EPINEPHRINE; MODEL POLICY.]

(a) At the start of each school year or at the time a student enrolls in school, whichever is first, a student's parent, school staff including those responsible for student health care and the prescribing medical professional must develop and implement an individualized written health plan for a student who is prescribed nonsyringe injectors of epinephrine that enables the student to:

(1) possess nonsyringe injectors of epinephrine; or

(2) if the parent and prescribing medical professional determine the student is unable to possess the epinephrine, have immediate access to nonsyringe injectors of epinephrine in school.

The plan must designate the school staff responsible for implementing the student's health plan, including administering nonsyringe injectors of epinephrine when required, consistent with section 121A.22, subdivision 2, clause (10). This health plan may be included in a student's 504 plan.

(b) A school under this section is a public school under section 120A.22, subdivision 4, or a nonpublic school, excluding a home school, under section 120A.22, subdivision 4, that is subject to the federal Americans with Disabilities Act. Other nonpublic schools are encouraged to develop and implement an individualized written health plan for students requiring nonsyringe injectors of epinephrine, consistent with this section and section 121A.22, subdivision 2, clause (10).

(c) A school district and its agents and employees are immune from liability for any act or failure to act, made in good faith, in implementing this section, except in cases of gross negligence or intentional misconduct.

(d) The education commissioner may develop and transmit to interested schools a model policy and individualized health plan form consistent with this section and federal 504 plan requirements. The policy and form may:

(1) assess a student's ability to safely possess nonsyringe injectors of epinephrine;

(2) identify staff training needs related to recognizing anaphylaxis and administering epinephrine when needed;

(3) accommodate a student's need to possess or have immediate access to nonsyringe injectors of epinephrine in school; and

(4) ensure that the student's parent provides properly labeled nonsyringe injectors of epinephrine to the school for the student as needed.

[EFFECTIVE DATE.] This section is effective for the 2004-2005 school year and later.

Amend the title as follows:

Page 1, line 2, delete "carry" and insert "possess or have immediate access to"

Page 1, line 6, delete "121A" and insert "122A"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Civil Law.

The report was adopted.

Boudreau from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 1936, A bill for an act relating to health; placing the term "assisted living facility" into statute as a formal means of referring to registered housing with services establishments; amending Minnesota Statutes 2002, section 144D.01, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [144D.015] [ASSISTED LIVING FACILITY DEFINITION FOR LONG-TERM CARE INSURANCE PURPOSES.]

For purposes of consistency with terminology commonly used in long-term care insurance policies, a housing with services establishment that is registered in accordance with section 144D.03 and that holds, or contracts with an individual or entity that holds, a home care license and all other licenses, permits, registrations, or other governmental approvals as are legally required for delivery of the services the establishment offers or provides to its residents, constitutes an "assisted living facility" or "assisted living residence."

Delete the title and insert:

"A bill for an act relating to health; defining assisted living facility for purposes of long-term care insurance; proposing coding for new law in Minnesota Statutes, chapter 144D."

With the recommendation that when so amended the bill pass.

The report was adopted.

Bradley from the Committee on Health and Human Services Finance to which was referred:

H. F. No. 2050, A bill for an act relating to health occupations; authorizing a physician application fee; requiring certain foreign medical school graduates to use a credentials verification service; amending Minnesota Statutes 2002, sections 147.01, by adding a subdivision; 147.037, subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Smith from the Committee on Judiciary Policy and Finance to which was referred:

H. F. No. 2104, A bill for an act relating to predatory offenders; requiring offenders without a primary address to register under the predatory offender registration law; clarifying the disclosure of information on predatory offenders under the community notification law; moving definitions in the predatory offender registration law; making conforming changes; amending Minnesota Statutes 2002, sections 243.166, as amended; 244.052, subdivision 4; repealing Minnesota Statutes 2002, section 243.166, subdivisions 1, 8.

Reported the same back with the following amendments:

Page 7, line 19, after "address" insert "or where the person will stay"

Page 7, line 20, strike everything after the comma

Page 7, strike line 21

Page 7, line 22, strike everything before "person" and insert "a"

Page 7, line 23, strike "of the new primary living address"

Page 7, line 25, before the period, insert "at least five days before the person moves to a new address where the person intends to stay for 14 days or longer"

Page 8, line 11, delete "1a" and insert "1b"

Page 9, line 4, after "jurisdiction" insert "without acquiring a primary address"

Page 9, line 11, after the period, insert "However, instead of reporting the person's primary address, the person must describe the location of where the person is staying with as much specificity as possible."

Page 9, line 12, after "(d)" insert "Except as otherwise provided in paragraph (e)."

Page 9, line 21, after "4a" insert "or this subdivision"

Page 9, after line 21, insert:

"(e) If the law enforcement authority determines that it is impractical, due to the person's unique circumstances, to require a person lacking a primary address to report weekly and in person as required under paragraph (d), the law enforcement authority may authorize the person to follow an alternative reporting procedure. The law enforcement authority shall consult with the person's corrections agent in establishing the specific criteria of this alternative procedure, subject to the following requirements.

(1) The law enforcement authority must document, in the person's registration record, the specific reasons why the weekly, in-person reporting process is impractical for the person to follow.

(2) The authority must explain how the alternative reporting procedure furthers the public safety objectives of this section.

(3) The authority must require the person lacking a primary address to report in person at least monthly to the law enforcement authority or the person's corrections agent and must specify the location where the person must report. If the law enforcement authority determines it would be more practical and would further public safety for the person to report to another law enforcement authority with jurisdiction where the person is staying, it may, after consulting with the other law enforcement authority, include this requirement in the person's alternative reporting process.

(4) The authority must require the person to comply with the weekly, in-person reporting process required under paragraph (d), if the person moves to a new area where this process would be practical.

(5) The authority must require the person to report any changes to the registration information provided under subdivision 4a and to comply with the periodic registration requirements specified under paragraph (f).

(6) The authority must require the person to comply with the requirements of paragraphs (b) and (c), if the person moves to a primary address."

Page 9, line 22, delete "(e)" and insert "(f)"

Page 9, lines 26 and 33, after "4a" insert "and this subdivision"

Page 9, line 34, delete "(f)" and insert "(g)"

Page 10, line 3, delete "(g)" and insert "(h)"

Page 20, line 4, after "information" insert "also"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Civil Law.

The report was adopted.

Harder from the Committee on Agriculture and Rural Development Finance to which was referred:

H. F. No. 2131, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for University of Minnesota, Twin Cities Campus - St. Paul Dairy Barn.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Higher Education Finance.

The report was adopted.

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy to which was referred:

H. F. No. 2166, A bill for an act relating to veterans; transferring responsibility for the veterans training program and general responsibility for veterans educational benefits to the commissioner of veterans affairs; appropriating money; amending Minnesota Statutes 2003 Supplement, section 197.78, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 197; repealing Minnesota Statutes 2002, section 124D.97.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1

Section 1. Minnesota Statutes 2003 Supplement, section 197.78, subdivision 1, is amended to read:

Subdivision 1. The commissioner of ~~education~~ veterans affairs shall foster and support educational programs for the benefit of veterans to assure that no Minnesotan shall be deprived of earned veterans benefits by virtue of the unavailability of programs for which the veteran is entitled to enroll and receive subsistence, tuition, and other benefits under federal programs. It shall be the responsibility of the commissioner to measure the demand for veterans service educational programs based on the criteria mandated by federal veterans benefits laws and to authorize, promote, and make grants within appropriated amounts to assure such program availability.

[EFFECTIVE DATE.] This section is effective July 1, 2004.

Sec. 2. [197.781] [VETERANS TRAINING PROGRAM.]

The commissioner of veterans affairs shall administer the veterans training program. Money in the veterans training revolving fund for the veterans training program is appropriated to the commissioner to pay the necessary expenses of operating the program. The department must act as the state agency for approving educational institutions for purposes of United States Code, title 38, chapter 36, relating to educational benefits for veterans and other persons and it may adopt rules to fulfill its obligations as the state approving agency. All federal money received for purposes of the veterans training program must be deposited in the veterans training revolving fund.

[EFFECTIVE DATE.] This section is effective July 1, 2004.

Sec. 3. [REPEALER.]

Minnesota Statutes 2002, section 124D.97, is repealed.

ARTICLE 2

Section 1. Minnesota Statutes 2002, section 197.03, is amended to read:

197.03 [STATE SOLDIERS' ASSISTANCE FUND CREATED.]

There is created a state soldiers' assistance fund to aid and assist any citizen of Minnesota or resident alien residing in Minnesota who served in the military or naval forces of the United States, in securing compensation, ~~hospitalization, medical treatment,~~ insurance or other relief or benefits to which the server may be entitled from the United States or any other government or state and for the emergency relief, hospitalization, treatment and maintenance of all such persons who were bona fide residents of the state at the time their need arose and their dependents as provided by sections 196.05 and 197.04 to 197.07.

[EFFECTIVE DATE.] This section is effective the day following final enactment.

Sec. 2. Minnesota Statutes 2003 Supplement, section 197.05, is amended to read:

197.05 [FUND, HOW EXPENDED.]

(a) The state soldiers' assistance fund shall be administered by the commissioner of veterans affairs and shall be used to locate and investigate the facts as to any Minnesota resident or resident alien residing in Minnesota who served in the military or naval forces of the United States and who is indigent or suffering from any disability whether acquired in the service or not; to assist the person and the person's dependents as hereinafter provided in establishing and proving any just claim the person may have against the United States government, or any other government or state for compensation, insurance, relief, or other benefits; to provide ~~emergency hospitalization, treatment,~~ maintenance, and relief for any person suffering from disability who was a bona fide resident of the state at the time the need arose and the person's dependents, as hereinafter provided; and to cooperate with other state, municipal, and county officials and civic or civilian agencies or organizations in carrying out the provisions of sections 197.03 to 197.07. The commissioner shall limit financial assistance to veterans and dependents to six months, unless recipients have been certified as ineligible for other benefit programs.

(b) For purposes of this section, "resident" means a person living in Minnesota for at least 30 days with the intention of residing in the state and not for any temporary purpose. An applicant may verify a residence address by presenting a valid state driver's license, a state identification card, a voter registration card, a rent receipt, a statement by the landlord, apartment manager, or homeowner verifying that the individual is residing at the address, or other form of verification approved by the commissioner.

(c) The fund is appropriated to be used in the manner determined by the commissioner of veterans affairs for these purposes.

[EFFECTIVE DATE.] This section is effective the day following final enactment.

Sec. 3. Minnesota Statutes 2003 Supplement, section 197.75, subdivision 1, is amended to read:

Subdivision 1. [BENEFITS; ELIGIBILITY.] The commissioner of veterans affairs shall spend a biennial appropriation for tuition of veterans, and for tuition, fees, board, room, books and supplies of the children of veterans who have died as a result of their service in the armed forces of the United States as determined by the United States Veterans Administration or other instrumentality of the United States, in the University of Minnesota, a state university, a community college, a technical college, or any other university of higher learning within the state accredited by the North Central Association of Colleges and Secondary Schools, a law college approved by the Supreme Court, a nursing school approved by the state Board of Nursing, or in a trade, business, or vocational school in the state approved by the state Department of Education, or in a theological seminary, for any course which such veteran or child may elect. Not more than \$750 shall be expended for the benefit of any individual veteran, and not more than \$750 in any fiscal year shall be expended for the benefit of any child under this section; ~~and the need for the benefit shall be established and determined by the commissioner of veterans affairs.~~ No child of any veteran shall make application for the benefits provided in this section unless the child resided in Minnesota for at least two years immediately prior to the date of the application. Children of veterans eligible for benefits according to this section shall be admitted to state institutions of university grade free of tuition until they receive a bachelors or equivalent degree. Payments of benefits shall be made directly to the institution in which the course of instruction is given or to the individual on forms prescribed by the commissioner.

[EFFECTIVE DATE.] This section is effective the day following final enactment.

Sec. 4. Minnesota Statutes 2002, section 197.75, subdivision 3, is amended to read:

Subd. 3. [PROOF OF ELIGIBILITY.] Approval for benefits under this section shall require submission of the following evidence: application, ~~financial statement~~, proof of military service, proof of residency and where applicable, a statement from the United States Veterans Administration that the veteran has exhausted entitlement to federal educational benefits through use thereof or that the veteran died of service connected disabilities. Upon submission of satisfactory proof of eligibility, benefits shall be provided from the date of application and notification of approval shall be sent to the educational institution and applicant.

[EFFECTIVE DATE.] This section is effective the day following final enactment.

Sec. 5. [REPEALER.]

Minnesota Statutes 2002, sections 197.23, subdivision 2; 197.236, subdivision 4; and 197.59, are repealed.

[EFFECTIVE DATE.] This section is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to veterans; changing administration and procedures for certain benefit programs; amending Minnesota Statutes 2002, sections 197.03; 197.75, subdivision 3; Minnesota Statutes 2003 Supplement, sections 197.05; 197.75, subdivision 1; 197.78, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 197; repealing Minnesota Statutes 2002, sections 124D.97; 197.23, subdivision 2; 197.236, subdivision 4; 197.59."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on State Government Finance.

The report was adopted.

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy to which was referred:

H. F. No. 2168, A bill for an act relating to state and local government; requiring use of common sense in the writing, interpretation, and enforcement of rules and regulations; proposing coding for new law in Minnesota Statutes, chapter 1.

Reported the same back with the following amendments:

Page 1, line 9, after "government" insert "and all members of the legislature"

Page 1, line 10, after "enforcing" insert "laws," and after "rules" insert a comma

With the recommendation that when so amended the bill pass.

The report was adopted.

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy to which was referred:

H. F. No. 2199, A bill for an act relating to the State Lottery; amending provisions relating to the director; providing for review and approval of lottery budget; creating a task force and requiring a report; providing for allocation and transfer of certain unclaimed prize money; amending Minnesota Statutes 2002, sections 349A.02, subdivision 1; 349A.10, subdivision 6; 349A.15; repealing Minnesota Statutes 2002, section 349A.02, subdivision 2.

Reported the same back with the following amendments:

Page 1, after line 11, insert:

"Section 1. [349A.015] [PURPOSE.]

The lottery is intended to maximize proceeds to state beneficiaries as identified by the Constitution and the legislature.

Sec. 2. [349A.016] [GOALS.]

The director shall be accountable for returning the maximum proceeds to the state under the purpose identified."

Page 2, line 4, after the period, insert "Operating expenses shall not include expenses that are a direct function of lottery sales, which include the cost of lottery prizes, amounts paid to lottery retailers as sales commissions or other compensation, amounts paid to produce and deliver scratch game lottery tickets, and amounts paid to an outside vendor to operate and maintain an on-line gaming system."

Page 2, line 9, delete "promotional campaigns" and insert "promotions"

Page 3, delete section 5 and insert:

"Sec. 7. Laws 2003, First Special Session chapter 1, article 1, section 23, is amended to read:

Sec. 23. [STATE LOTTERY.]

Notwithstanding Minnesota Statutes, section 349A.10, the operating budget must not exceed ~~\$43,538,000~~ \$27,419,000 in fiscal year 2004 and ~~\$43,538,000~~ \$27,419,000 in fiscal year 2005 and thereafter. ~~The savings must be transferred 60 percent to the general fund in the state treasury and 40 percent to the Minnesota environment and natural resources trust fund in the state treasury."~~

Page 3, line 28, delete "1 and 6" and insert "3 and 8"

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 5 and 6, delete "providing for allocation and transfer of certain unclaimed prize money;"

Page 1, line 8, after "349A.15;" insert "Laws 2003, First Special Session chapter 1, article 1, section 23; proposing coding for new law in Minnesota Statutes, chapter 349A;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on State Government Finance.

The report was adopted.

Davids from the Committee on Commerce, Jobs and Economic Development to which was referred:

H. F. No. 2216, A bill for an act relating to financial institutions; clarifying the status of industrial loan and thrift companies that accept deposits; amending Minnesota Statutes 2002, section 53.01.

Reported the same back with the following amendments:

Page 1, line 20, before "An" insert "If"

Page 1, line 21, after "company" insert "is owned or controlled by a company, as defined in United States Code, chapter 12, section 1467a(a)(1)(C), the industrial loan and thrift company"

Page 1, line 23, delete "its owner" and insert "the company that owns or controls the industrial loan and thrift company"

With the recommendation that when so amended the bill pass.

The report was adopted.

Smith from the Committee on Judiciary Policy and Finance to which was referred:

H. F. No. 2231, A bill for an act relating to public safety; requiring the commissioner of corrections to convene an end-of-confinement review committee to assess the risk level of offenders coming into Minnesota from another state; clarifying current law requiring assessment of offenders released from federal facilities; allowing community notification pursuant to a risk level assigned in another state; requiring the Bureau of Criminal Apprehension to forward registration and notification information on certain offenders to the Department of Corrections; directing the commissioner of corrections to determine whether notification laws of other states are comparable to Minnesota's notification law; amending Minnesota Statutes 2002, sections 243.166, subdivision 9; 244.052, subdivision 3, by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Civil Law.

The report was adopted.

Sykora from the Committee on Education Policy to which was referred:

H. F. No. 2242, A resolution memorializing Minnesota's Congressional Delegation to authorize an increase in the existing Boundary Waters Canoe Area Wilderness (BWCAW) reservation fee to be allocated to Minnesota's Permanent School Fund.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Environment and Natural Resources Policy.

The report was adopted.

Dempsey from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 2270, A bill for an act relating to official publications; changing provisions for publication of public notices in newspapers; requiring a report; amending Minnesota Statutes 2002, sections 279.09; 279.092; 331A.01, subdivisions 2, 3, 6, 9, 10; 331A.02, subdivisions 1, 3, 4, by adding a subdivision; 331A.03, subdivision 1, by adding a subdivision; 331A.04, as amended; 331A.05, subdivisions 3, 4, 5, 7, by adding a subdivision; 331A.06, subdivision 3, by adding a subdivision; 331A.07; 331A.08, by adding a subdivision; 331A.09; 331A.10, subdivision 1; 331A.11, subdivisions 1, 2; 375.12, subdivision 2; 375.17, subdivision 1; 412.191, subdivision 3; 471.698, subdivision 1; repealing Minnesota Statutes 2002, sections 331A.01, subdivision 5; 331A.02, subdivision 2.

Reported the same back with the following amendments:

Page 1, line 27, delete everything after "later"

Page 1, line 28, delete the new language

Page 2, delete line 9 and insert "~~greater of (a) \$10.00, or (b) the amount determined by the~~"

Page 8, line 9, delete the colon

Page 8, delete lines 10 to 12

Page 8, line 13, delete the paragraph coding and delete "(2)"

Page 11, line 4, reinstate the stricken language and delete the new language

Page 14, line 35, delete "\$250" and insert "\$300"

Page 15, line 1, delete "\$250" and insert "\$300"

Page 16, line 32, delete "\$250" and insert "\$300"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Civil Law.

The report was adopted.

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy to which was referred:

H. F. No. 2308, A bill for an act relating to criminal justice and public safety; providing a life penalty for most first degree criminal sexual conduct crimes; creating indeterminate sentences and mandatory life sentences for second degree criminal sexual conduct and certain third and fourth degree criminal sexual conduct crimes; creating a criminal sexual predatory conduct crime; establishing minimum sentences for certain sex offenses; establishing the Minnesota Sex Offender Review Board; providing procedures for operation of the review board; specifying when an offender may petition for conditional release; directing the Sentencing Guidelines Commission to assess risk levels and presumptive sentences for certain offenses; requiring the commissioner of corrections to establish criteria and procedures for reviewing offenders' petitions for release; exempting the Minnesota Sex Offender Review Board and certain responsibilities of the commissioner of corrections from rulemaking; specifying that the Open Meeting Law does not apply to meetings and hearings of the Minnesota Sex Offender Review Board; instructing the revisor to

renumber various statutes; repealing various laws pertaining to sex offenders; making various technical and conforming changes; providing criminal penalties; amending Minnesota Statutes 2002, sections 13D.01, subdivision 2; 241.67, subdivision 3; 243.166, subdivision 1; 244.05, subdivisions 1, 3, 4, 5, 6, 7; 244.052, subdivision 3; 244.195, subdivision 1; 253B.185, subdivision 2; 401.01, subdivision 2; 609.117, subdivisions 1, 2; 609.1351; 609.341, by adding subdivisions; 609.342; 609.343; 609.344; 609.345; 609.3452, subdivision 4; 609.347; 609.3471; 609.348; 609.353; 631.045; Minnesota Statutes 2003 Supplement, section 14.03, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 244; 609; repealing Minnesota Statutes 2002, sections 609.108; 609.109.

Reported the same back with the following amendments:

Pages 36 to 38, delete section 2

Page 38, line 9, delete "3" and insert "2"

Page 41, line 31, delete "RULEMAKING" and insert "CHAPTER 14"

Page 41, line 32, delete "are"

Page 41, delete line 33

Page 41, line 34, delete "14.386," and insert "may adopt rules under section 14.389"

Page 42, line 1, delete "4" and insert "3"

Amend the title as follows:

Page 1, line 18, delete everything after the semicolon

Page 1, delete lines 19 and 20

Page 1, line 35, delete everything after the second semicolon

Page 1, line 36, delete everything before "proposing"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Judiciary Policy and Finance.

The report was adopted.

Swenson from the Committee on Agriculture Policy to which was referred:

H. F. No. 2362, A bill for an act relating to Ramsey County; changing the issuer of a certain license at the state fair; amending Laws 2003, chapter 126, section 29.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Dauids from the Committee on Commerce, Jobs and Economic Development to which was referred:

H. F. No. 2386, A bill for an act relating to state government; merging the Department of Economic Security and the Department of Employment and Economic Development; making corresponding technical and housekeeping changes; amending Minnesota Statutes 2002, sections 3.922, subdivision 10; 15.0591, subdivision 2; 116J.01, subdivisions 4, 5; 116J.035, subdivision 2; 116J.551; 116J.64, subdivisions 4, 5, 7, 8, 9, by adding a subdivision; 116L.01, subdivision 1; 116L.05, subdivision 4; 119A.46, subdivision 8; 144.9503, subdivision 1; 171.321, subdivision 2; 181.73, subdivision 1; 216C.10; 242.39, subdivision 3; 246.56, subdivision 1; 256J.08, subdivision 52; 268.001; 268.0111, subdivision 4; 268.0122, subdivision 1; 268.29; 268.66, as amended; 268.665, as amended; 268.976, subdivision 2; 268A.01, subdivisions 5, 13; Minnesota Statutes 2003 Supplement, sections 15.01; 15.057; 15.06, subdivision 1; 15A.0815, subdivision 2; 16C.05, subdivision 3; 116J.011; 116J.401; 116J.64, subdivision 6; 116J.966, subdivision 1; 116J.980, subdivision 1; 116J.994, subdivisions 9, 10; 116L.03, subdivision 7; 116M.15, subdivision 1; 248.07, subdivision 8; 256.482, subdivision 1; 256C.233, subdivision 1; 268.014; 268.022, subdivision 1; 268.363; Laws 2003, chapter 128, article 10, section 2, subdivisions 1, 3; proposing coding for new law in Minnesota Statutes, chapters 116J; 116L; 268A; repealing Minnesota Statutes 2002, sections 116J.036; 116J.414; 116J.422; 116L.04, subdivision 4; 268.0111, subdivisions 1, 2, 3a, 4a; 268.0121, subdivisions 1, 2; 268.0122, subdivisions 2, 5, 6; 268.027; 268.028; 268.029; 268.26, subdivisions 2, 3; 268.361, subdivision 3; 268.3661; 268.551; 268.552; 268.56, subdivision 2; 268.561, subdivision 10; 268.61, subdivision 2; 268.65, subdivisions 1, 3, 4, 5; 268.666, subdivision 5; 268.89; 268.918; 268.95; Minnesota Statutes 2003 Supplement, sections 268.0122, subdivision 3; 268.26, subdivision 1; 268.65, subdivision 2; 268.95, subdivision 4; 268.976, subdivision 1; Laws 2001, chapter 175, section 49; Minnesota Rules, parts 3300.0050; 3301.0180; 3301.0190; 3301.0200; 3301.0210; 3301.0220; 3301.0230; 3310.2903; 3310.2904; 3310.2905, subpart 1; 3310.2906; 3310.2907; 3310.2909; 3310.2918; 3315.0100; 3315.0202; 3315.0501, subparts 3, 4, 5; 3315.0510; 3315.0530, subpart 1; 3315.0535; 3315.0545; 3315.0555, subpart 5; 3315.0915; 3315.0920; 3315.1005, subpart 2; 3315.1015; 3315.1301, subparts 3, 6; 3315.1305; 3315.1310; 3315.1650, subpart 1; 3315.2410; 3315.2610; 3315.2750; 3315.2810, subparts 1, 3; 3315.3220, subpart 4; 3320.0010; 3320.0020; 3320.0030; 7380.0200; 7380.0210; 7380.0220; 7380.0230; 7380.0240; 7380.0500; 7380.0510; 7380.0520; 7380.0530; 7380.0540; 7380.0550; 7380.0560; 7380.0570; 7380.0580; 7380.0581; 7380.0582; 7380.0600; 7380.0610; 7380.0620; 7380.0630; 7380.0640; 7380.0650; 7380.0800; 7380.0810; 7380.0820; 7380.0830; 7380.0840.

Reported the same back with the following amendments:

Page 38, line 32, before the period, insert "For the extended employment program, supported employment must also be paid work in a position removed from the service vendor's site where individuals without disabilities who do not require public subsidies may also be employed"

Page 39, line 34, delete everything after "268A.15" and insert a semicolon

Page 39, delete lines 35 and 36

Page 40, delete line 1

Page 40, line 4, delete "community chests" and insert "the United Way"

Page 40, line 9, after the semicolon, insert "and"

Page 40, delete lines 10 to 14

Page 40, line 15, delete "(6)" and insert "(4)"

Page 43, line 20, delete "116J.422;"

Amend the title as follows:

Page 1, line 30, delete "116J.422;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy.

The report was adopted.

Boudreau from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 2425, A bill for an act relating to human services; providing for collaborative service models; amending Minnesota Statutes 2003 Supplement, section 256B.69, subdivision 6b.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2002, section 256B.0625, is amended by adding a subdivision to read:

Subd. 2a. [SKILLED NURSING FACILITY AND HOSPICE SERVICES FOR DUAL ELIGIBLES.] Medical assistance covers skilled nursing facility services for individuals eligible for both medical assistance and Medicare who have waived the Medicare skilled nursing facility room and board benefit and have enrolled in the Medicare hospice program. Medical assistance covers skilled nursing facility services regardless of whether an individual enrolled in the Medicare hospice program prior to, on, or after the date of the hospitalization that qualified the individual for Medicare skilled nursing facility services.

Sec. 2. Minnesota Statutes 2003 Supplement, section 256B.69, subdivision 6b, is amended to read:

Subd. 6b. [HOME AND COMMUNITY-BASED WAIVER SERVICES.] (a) For individuals enrolled in the Minnesota senior health options project authorized under subdivision 23, elderly waiver services shall be covered according to the terms and conditions of the federal agreement governing that demonstration project.

(b) For individuals under age 65 enrolled in demonstrations authorized under subdivision 23, home and community-based waiver services shall be covered according to the terms and conditions of the federal agreement governing that demonstration project.

(c) The commissioner of human services shall issue requests for proposals for collaborative service models between counties and managed care organizations to integrate the home and community-based elderly waiver services and additional nursing home services into the prepaid medical assistance program.

(d) Notwithstanding Minnesota Rules, part 9500.1457, subpart 1, item C, elderly waiver services shall be covered statewide no sooner than July 1, 2006, under the prepaid medical assistance program for all individuals who are eligible according to section 256B.0915. The commissioner may develop a schedule to phase in implementation of these waiver services, including collaborative service models under paragraph (c). The commissioner shall phase in implementation beginning with those counties participating under section 256B.692, and those counties where a viable collaborative service model has been developed. In consultation with counties and all managed care organizations that have expressed an interest in participating in collaborative service models, the commissioner shall evaluate the models. The commissioner shall consider the evaluation in selecting the most appropriate models for statewide implementation."

Delete the title and insert:

"A bill for an act relating to human services; clarifying medical assistance coverage for skilled nursing facility services; providing for collaborative service models; amending Minnesota Statutes 2002, section 256B.0625, by adding a subdivision; Minnesota Statutes 2003 Supplement, section 256B.69, subdivision 6b."

With the recommendation that when so amended the bill pass.

The report was adopted.

Boudreau from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 2436, A bill for an act relating to health; providing for public health emergencies; amending Minnesota Statutes 2002, sections 144.419, subdivision 1; 144.4195, subdivisions 1, 2, 3, 5; Minnesota Statutes 2003 Supplement, section 13.37, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 12; 144; repealing Laws 2002, chapter 402, section 21.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2002, section 12.03, subdivision 4d, is amended to read:

Subd. 4d. [FACILITY.] "Facility" means any real property, building, structure, or other improvement to real property or any motor vehicle, rolling stock, aircraft, watercraft, or other means of transportation. Facility does not include a private residence but may include a licensed health care facility only when other alternatives are not feasible.

Sec. 2. Minnesota Statutes 2002, section 12.39, subdivision 2, is amended to read:

Subd. 2. [INFORMATION GIVEN.] ~~Where feasible,~~ Before performing examinations, testing, treatment, or vaccination of an individual under subdivision 1, a health care provider shall notify the individual of the right to refuse the examination, testing, treatment, or vaccination, and the consequences, including isolation or quarantine, upon refusal.

Sec. 3. [12.60] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] For purposes of sections 12.60 to 12.64, the definitions in this section apply.

Subd. 2. [COMMISSIONER.] "Commissioner" means the commissioner of health.

Subd. 3. [DIRECTOR.] "Director" means the director of the Division of Homeland Security and Emergency Management.

Subd. 4. [EMERGENCY PLAN.] "Emergency plan" includes:

(1) any plan for managing a public health emergency developed by the commissioner or a local public health official;

(2) any plan for managing a public health emergency developed by one or more hospitals, clinics, nursing homes, health care plans, or other parts of the health care system and approved by the commissioner or a local public health official in consultation with the director or local emergency management officials; or

(3) any provision for assistance by out-of-state responders under an interstate or international compact, including, but not limited to, the Emergency Management Assistance Compact.

Subd. 5. [LOCAL GOVERNMENT.] "Local government" means:

(1) a board of health established under section 145A.03 or 145A.07; or

(2) a city, county, or other municipal or public corporation or any instrumentality thereof.

Subd. 6. [PUBLIC HEALTH EMERGENCY RESPONDER OR RESPONDER.] "Public health emergency responder" or "responder" means a person or organization that provides health care or health services including, but not limited to, a physician, physician assistant, registered or other nurse, certified nursing assistant, or other applicable staff position within a health care provider organization; pharmacist; chiropractor; dentist; emergency medical technician; laboratory technician; firefighter or another registered as a first responder; mental health professional; hospital; nursing facility, boarding care facility, home health care agency, or other long-term care provider; medical or dental clinic; and medical laboratory and including, but not limited to, ambulance service personnel and dispatch services and a person not registered as a first responder but who is affiliated with a medical response unit and is dispatched to the scene of an emergency by a public safety answering point or licensed ambulance service.

Subd. 7. [STATE.] "State" means the state of Minnesota or any of its agencies, departments, boards, or commissions.

Subd. 8. [VOLUNTEER.] "Volunteer" means an individual that offers services to state or local government without expectation of compensation from the state or local government. A volunteer may receive lodging, meal, and transportation expenses incidental to the services, or per diem payments intended to approximate such expenses, without loss of volunteer status.

Sec. 4. [12.61] [LIABILITY PROTECTION FOR PUBLIC HEALTH VOLUNTEERS.] (a) The policy of the state is to encourage preparation for and response to a catastrophic public health emergency by all citizens, especially those trained in health care and related fields.

(b) A volunteer shall have the same liability protection and right to defense and indemnification as a paid employee of the local government or of the state if the volunteer:

(1) registers with and is accepted by a local government or the state to assist in a future or existing public health emergency;

(2) acts at the express or implied request of the local government or the state;

(3) acts within the scope of duties approved by the local government or the state and within the volunteer's limits of training and skills;

(4) cooperates with the local government or the state in the defense or prosecution of any administrative or legal action arising out of the volunteer's work; and

(5) has not acted, or failed to act, in a manner constituting willful misconduct, gross negligence, or reckless disregard for the life or health of those in the volunteer's care.

(c) This section applies to volunteer activity both during a public health emergency and during training or other preparations directed to readiness for such an emergency.

Sec. 5. [12.62] [TORT ACTION AGAINST A VOLUNTEER.]

(a) In the case of a local government volunteer, the exclusive cause of action for any tort claim brought against a volunteer who satisfies the requirements of section 12.61 is an action under chapter 466 against the local government only.

(b) In the case of a state volunteer, the exclusive cause of action for any tort claim brought against a volunteer who satisfies the requirements of section 12.61 is an action under section 3.736 against the state only.

(c) No tort action is permitted against a volunteer in an individual capacity, or the volunteer's personal insurance coverage, when the volunteer satisfies the requirements of section 12.61.

(d) For any action brought under this section, the single occurrence limit of sections 3.736, subdivision 4, and 466.04, subdivision 1, applies to a volunteer's alleged action or failure to act and not to the public health emergency.

Sec. 6. [12.63] [GOOD SAMARITAN LIABILITY LIMITATION; HOSPITAL CAPACITY EXCEEDED.]

For purposes of this section, "regional hospital system" means all hospitals in one of the hospital bioterrorism preparedness program geographic regions of the state set forth in the most recent hospital preparedness plan available on the Minnesota Department of Health Web site at www.health.state.mn.us/oep. During a national security emergency or a peacetime emergency due to a public health emergency declared under section 12.31, the governor may issue an emergency executive order upon finding that the number of seriously ill or injured persons exceeds the emergency capacity of one or more regional hospital systems and that care has to be given in temporary facilities. A responder in any impacted region acting consistent with an emergency plan is not liable for any civil damages as a result of good faith acts or omissions by that responder in rendering emergency care, advice, or assistance during the effective period of the emergency executive order, unless the responder acts in a willful and wanton or reckless manner in providing the care, advice, or assistance. This section applies without regard to whether the care is provided for or in expectation of remuneration.

Sec. 7. [12.64] [EMERGENCY VACCINE ADMINISTRATION AND LEGEND DRUG DISPENSING.]

Notwithstanding any provision of law or rule to the contrary, when the governor has declared, under section 12.31, a national security emergency or a peacetime emergency due to a public health emergency, the commissioner may authorize any person, including, but not limited to, any person licensed or otherwise credentialed under chapters 144E, 147 to 148, 150A, 151, 153, or 156, to administer vaccinations or dispense legend drugs if the commissioner determines that such action is necessary to protect the health and safety of the public. The authorization shall be in writing and shall contain the categories of persons included in the authorization, any additional training required before performance of the vaccination or drug dispensing by such persons, any supervision required for performance of the vaccination or drug dispensing, and the duration of the authorization. The commissioner may, in writing, extend the scope and duration of the authorization as the emergency warrants. Any person licensed or otherwise credentialed under chapters 144E, 147 to 148, 150A, 151, 153, or 156 shall not be subject to criminal liability, administrative penalty, professional discipline, or other administrative sanction because the person acted outside the scope of activities allowed under the person's license or other credential in good faith performance of vaccination or drug dispensing duties assigned under this section.

Sec. 8. Minnesota Statutes 2003 Supplement, section 13.37, subdivision 3, is amended to read:

Subd. 3. [DATA DISSEMINATION.] (a) Crime prevention block maps and names, home addresses, and telephone numbers of volunteers who participate in community crime prevention programs may be disseminated to volunteers participating in crime prevention programs. The location of a National Night Out event is public data.

(b) A government entity engaged in or temporarily assisting with emergency preparedness or response may make any data classified as security information under subdivision 1, paragraph (a), accessible to another government entity or to a private person or organization engaged in or temporarily assisting with emergency preparedness or response, an agency or political subdivision of another state or country, a federal agency, an international organization, or a tribal authority if the disclosing government entity determines that granting the access will aid public health, promote public safety, assist law enforcement, or otherwise reduce risk to the security of information, possessions, individuals, or property.

Sec. 9. Minnesota Statutes 2002, section 144.419, subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] For purposes of ~~this section and section 144.4195~~ sections 144.419 to 144.4196, the following definitions apply:

(1) "bioterrorism" means the intentional use of any microorganism, virus, infectious substance, or biological product that may be engineered as a result of biotechnology, or any naturally occurring or bioengineered component of any such microorganism, virus, infectious substance, or biological product, to cause death, disease, or other biological malfunction in a human, an animal, a plant, or another living organism in order to influence the conduct of government or to intimidate or coerce a civilian population;

(2) "communicable disease" means a disease caused by a living organism or virus and believed to be caused by bioterrorism or a new or novel or previously controlled or eradicated infectious agent or biological toxin that can be transmitted person to person and for which isolation or quarantine is an effective control strategy, excluding a disease that is directly transmitted as defined under section 144.4172, subdivision 5;

(3) "isolation" means separation, during the period of communicability, of a person infected with a communicable disease, in a place and under conditions so as to prevent direct or indirect transmission of an infectious agent to others; and

(4) "quarantine" means restriction, during a period of communicability, of activities or travel of an otherwise healthy person who likely has been exposed to a communicable disease to prevent disease transmission during the period of communicability in the event the person is infected.

Sec. 10. Minnesota Statutes 2002, section 144.4195, subdivision 1, is amended to read:

Subdivision 1. [EX PARTE ORDER FOR ISOLATION OR QUARANTINE.] (a) Before isolating or quarantining a person or group of persons, the commissioner of health shall obtain a written, ex parte order authorizing the isolation or quarantine from the District Court of Ramsey County, the county where the person or group of persons is located, or a county adjoining the county where the person or group of persons is located. The evidence or testimony in support of an application may be made or taken by telephone, facsimile transmission, video equipment, or other electronic communication. The court shall grant the order upon a finding that probable cause exists to believe isolation or quarantine is warranted to protect the public health.

(b) The order must state the specific facts justifying isolation or quarantine, must state that the person being isolated or quarantined has a right to a court hearing under this section and a right to be represented by counsel during any proceeding under this section, and must be provided immediately to each person isolated or quarantined.

The commissioner of health shall provide a copy of the authorizing order to the commissioner of public safety and other peace officers known to the commissioner to have jurisdiction over the site of the isolation or quarantine. If feasible, the commissioner of health shall give each person being isolated or quarantined an estimate of the expected period of the person's isolation or quarantine.

(c) If it is impracticable to provide individual orders to a group of persons isolated or quarantined, one order shall suffice to isolate or quarantine a group of persons believed to have been commonly infected with or exposed to a communicable disease. A copy of the order and notice shall be posted in a conspicuous place:

(1) in the isolation or quarantine premises, but only if the persons to be isolated or quarantined are already at the isolation or quarantine premises and have adequate access to the order posted there; or

(2) in another location where the group of persons to be isolated or quarantined is located, such that the persons have adequate access to the order posted there.

If the court determines that posting the order according to clause (1) or (2) is impractical due to the number of persons to be isolated or quarantined or the geographical area affected, the court must use the best means available to ensure that the affected persons are fully informed of the order and notice.

(d) A peace officer, as defined under section 144.4803, subdivision 16, shall enforce an order under this section and may use all necessary and lawful means to apprehend, hold, transport, quarantine, or isolate a person subject to the order. "Necessary and lawful means" includes reasonable force but not deadly force as defined in section 609.066, subdivision 1. The peace officer shall act upon telephone, facsimile, or other electronic notification of the court order. The commissioner or an agent of a local board of health authorized under section 145A.04 shall advise the peace officer, upon request, of protective measures necessary to protect the peace officer from possible transmission of the communicable disease.

(e) No person may be isolated or quarantined pursuant to an order issued under this subdivision for longer than 21 days without a court hearing under subdivision 3 to determine whether isolation or quarantine should continue. A person who is isolated or quarantined may request a court hearing under subdivision 3 at any time before the expiration of the order.

Sec. 11. Minnesota Statutes 2002, section 144.4195, subdivision 2, is amended to read:

Subd. 2. [TEMPORARY HOLD UPON COMMISSIONER'S DIRECTIVE.] (a) Notwithstanding subdivision 1, the commissioner of health may by directive isolate or quarantine a person or group of persons without first obtaining a written, ex parte order from the court if a delay in isolating or quarantining the person or group of persons would significantly jeopardize the commissioner of health's ability to prevent or limit the transmission of a communicable or potentially communicable disease to others. The commissioner must provide the person or group of persons subject to the temporary hold with notice that the person has a right to request a court hearing under this section and a right to be represented by counsel during a proceeding under this section. If it is impracticable to provide individual notice to each person subject to the temporary hold, notice of these rights may be posted in the same manner as the posting of orders under subdivision 1, paragraph (c). Following the imposition of isolation or quarantine under this subdivision, the commissioner of health shall within 24 hours apply for a written, ex parte order pursuant to subdivision 1 authorizing the isolation or quarantine. The court must rule within 24 hours of receipt of the application. If the person is under a temporary hold, the person may not be held in isolation or quarantine after the temporary hold expires unless the court issues an ex parte order under subdivision 1.

(b) A peace officer, as defined under section 144.4803, subdivision 16, shall enforce a commissioner's directive under paragraph (a) as the peace officer would enforce a court order under this section. The peace officer shall act upon telephone, facsimile, or other electronic notification of the commissioner's directive. The commissioner or an agent of a local board of health authorized under section 145A.04 shall advise the peace officer, upon request, of protective measures necessary to protect the peace officer from possible transmission of the communicable disease.

(c) If a person subject to a commissioner's directive under paragraph (a) is already institutionalized in an appropriate health care facility, the commissioner of health may direct the facility to continue to hold the person. The facility shall take all reasonable measures to prevent the person from exposing others to the communicable disease.

Sec. 12. Minnesota Statutes 2002, section 144.4195, subdivision 3, is amended to read:

Subd. 3. [COURT HEARING.] (a) A person isolated or quarantined under an order issued pursuant to subdivision 1 or a temporary hold under subdivision 2 or the person's representative may petition the court to contest the court order or temporary hold at any time prior to the expiration of the order or temporary hold. If a petition is filed, the court must hold a hearing within 72 hours from the date of the filing. A petition for a hearing does not stay the order of isolation or quarantine. At the hearing, the commissioner of health must show by clear and convincing evidence that the isolation or quarantine is warranted to protect the public health.

(b) If the commissioner of health wishes to extend the order for isolation or quarantine past the period of time stated in subdivision 1, paragraph ~~(d)~~ (e), the commissioner must petition the court to do so. Notice of the hearing must be served upon the person or persons who are being isolated or quarantined at least three days before the hearing. If it is impracticable to provide individual notice to large groups who are isolated or quarantined, a copy of the notice may be posted in the same manner as described under subdivision 1, paragraph (c).

(c) The notice must contain the following information:

(1) the time, date, and place of the hearing;

(2) the grounds and underlying facts upon which continued isolation or quarantine is sought;

(3) the person's right to appear at the hearing; and

(4) the person's right to counsel, including the right, if indigent, to be represented by counsel designated by the court or county of venue.

(d) The court may order the continued isolation or quarantine of the person or group of persons if it finds by clear and convincing evidence that the person or persons would pose an imminent health threat to others if isolation or quarantine was lifted. In no case may the isolation or quarantine continue longer than 30 days from the date of the court order issued under this subdivision unless the commissioner petitions the court for an extension. Any hearing to extend an order is governed by this subdivision.

Sec. 13. Minnesota Statutes 2002, section 144.4195, subdivision 5, is amended to read:

Subd. 5. [JUDICIAL PROCEDURES AND DECISIONS.] Court orders issued pursuant to subdivision 3 or 4 shall be based upon clear and convincing evidence and a written record of the disposition of the case shall be made and retained. Any person subject to isolation or quarantine has the right to be represented by counsel or other lawful representative. The court may choose to conduct a hearing under subdivision 3 or 4 by telephonic, interactive video, or other electronic means to maintain isolation or quarantine precautions and reduce the risk of spread of a communicable disease. Otherwise, the manner in which the request for a hearing is filed and acted upon shall be in accordance with the existing laws and rules of the courts of this state or, if the isolation or quarantine occurs during a national security or peacetime emergency, any rules that are developed by the courts for use during a national security or peacetime emergency.

Sec. 14. [144.4196] [EMPLOYEE PROTECTION.]

Subdivision 1. [DEFINITIONS.] For purposes of this section:

(1) "qualifying employee" means a person who performs services for hire in Minnesota and who has been subject to isolation or quarantine for a communicable disease, as defined in section 144.419, subdivision 1, clause (2). The term applies to persons who comply with isolation or quarantine restrictions because of:

(i) a commissioner's temporary hold directive;

(ii) an order of a federal quarantine officer;

(iii) a state or federal court order; or

(iv) a written recommendation of the commissioner or the commissioner's designee that the person enter isolation or quarantine. A person qualifying under this item must demonstrate that the person's isolation or quarantine was subject to monitoring by the commissioner or the commissioner's designee or by the person's own health care provider; and

(2) "employer" means a person having one or more employees in Minnesota and includes the state and any political subdivision of the state.

Subd. 2. [PROTECTIONS.] (a) An employer shall not discharge, discipline, threaten, or penalize a qualifying employee, or otherwise discriminate in the work terms, conditions, location, or privileges of the qualifying employee, because the qualifying employee has been in isolation or quarantine.

(b) A qualifying employee claiming a violation of paragraph (a) may bring a civil action for recovery of lost wages or benefits, for reinstatement, or for other relief within 90 days of the claimed violation or within 90 days of the end of the isolation or quarantine, whichever is later. A qualifying employee who prevails shall be allowed reasonable attorney fees fixed by the court.

(c) Nothing in this subdivision is intended to alter sick leave or sick pay terms of the employment relationship.

Subd. 3. [LIMITATION.] This section does not apply to work absences due to isolation or quarantine under subdivision 1 for periods longer than 21 consecutive days.

Subd. 4. [EXEMPTION.] This section does not apply to a small business as defined in section 645.445.

Sec. 15. [WORKERS' COMPENSATION ADVISORY COUNCIL REPORT.]

The Council on Workers' Compensation, established under Minnesota Statutes, section 175.007, must study extending workers' compensation to volunteers. The report must be completed and presented to the legislature by January 1, 2005. The report must comply with Minnesota Statutes, sections 3.195 to 3.197.

Sec. 16. [HEALTH STUDY.]

(a) The commissioner of health must prepare a plan for the development and implementation of a statewide public health data management system in cooperation and consultation with representatives of local public health departments. The plan must provide state and local public health departments with a cost-effective, reliable means for collecting, utilizing, and disseminating public health data. The plan must include cost estimates for the planning and development of a statewide system. Nothing in this section requires the commissioner to collect additional health data.

(b) The plan must be completed and presented to the legislature by January 1, 2005. The plan must comply with Minnesota Statutes, sections 3.195 and 3.197.

Sec. 17. [SUNSET.]

Sections 1 to 16 expire August 1, 2008.

Sec. 18. [EFFECTIVE DATE.]

Sections 1 to 16 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to health; providing for public health emergencies; amending Minnesota Statutes 2002, sections 12.03, subdivision 4d; 12.39, subdivision 2; 144.419, subdivision 1; 144.4195, subdivisions 1, 2, 3, 5; Minnesota Statutes 2003 Supplement, section 13.37, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 12; 144."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Civil Law.

The report was adopted.

Dauids from the Committee on Commerce, Jobs and Economic Development to which was referred:

H. F. No. 2439, A bill for an act relating to commerce; regulating real estate brokers and salespersons; making various changes in real property law; recodifying the laws and rules regulating these licensees; making technical and conforming changes; amending Minnesota Statutes 2002, sections 58.12, subdivision 1; 58.13, subdivision 1; 58.16, subdivisions 2, 4; 82.17, subdivision 4, by adding subdivisions; 82.19, subdivision 5, by adding subdivisions; 82.195; 82.196; 82.197; 82.20, subdivisions 3, 4, 8, 9, by adding subdivisions; 82.21, by adding subdivisions; 82.22, subdivisions 6, 8, 12, 13, by adding subdivisions; 82.24, subdivisions 3, 5, by adding subdivisions; 82.27, by adding a subdivision; 513.55, subdivision 1; 515B.4-101; 515B.4-102; 515B.4-106; 515B.4-107; 515B.4-108; 559.21, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 82; 559; repealing Minnesota Statutes 2002, sections 58.02, subdivision 24; 82.22, subdivision 9; Minnesota Rules, parts 2800.0100; 2800.0200; 2800.0300; 2800.1100; 2800.1200; 2800.1300; 2800.1400; 2800.1500; 2800.1600; 2800.1700; 2800.1750; 2800.1751; 2800.1800; 2800.1900; 2800.2000; 2800.2100; 2800.2150; 2805.0100; 2805.0200; 2805.0300; 2805.0400; 2805.0500; 2805.0600; 2805.0700; 2805.0800; 2805.0900; 2805.1000; 2805.1100; 2805.1300; 2805.1400; 2805.1500; 2805.1600; 2805.1700; 2805.1800; 2805.1900; 2805.2000.

Reported the same back with the following amendments:

Page 8, line 14, delete the new language and reinstate the stricken language

Page 33, after line 28, insert:

"Sec. 14. Minnesota Statutes 2002, section 82.19, subdivision 3, is amended to read:

Subd. 3. [COMMISSION-SPLITTING, REBATES, AND FEES.] No real estate broker, salesperson, or closing agents shall offer, pay, or give, and no person shall accept, any compensation or other thing of value from any real estate broker, salesperson, or closing agents by way of commission-splitting, rebate, finder's fees, or otherwise, in

connection with any real estate or business opportunity transaction. This subdivision does not apply to transactions (1) between a licensed real estate broker or salesperson and the ~~person by whom the broker or salesperson is engaged to purchase or sell real estate or business opportunity parties to the transaction,~~ (2) among persons licensed as provided herein, (3) between a licensed real estate broker or salesperson and persons from other jurisdictions similarly licensed in that jurisdiction, (4) involving timeshare or other recreational lands where the amount offered or paid does not exceed \$150, and payment is not conditioned upon any sale but is made merely for providing the referral and the person paying the fee is bound by any representations the person receiving the fee makes, and (5) involving a person who receives a referral fee from a person or an agent of a person licensed under this section, provided that in any 12-month period, no recipient may earn more than the value of one month's rent, that the recipient is a resident of the property or has lived there within 60 days of the payment of the fee, and that the person paying the fee is bound by any representations made by the recipient of the fee. A licensed real estate broker or salesperson may assign or direct that commissions or other compensation earned in connection with any real estate or business opportunity transaction be paid to a corporation, limited liability company, or sole proprietorship of which the licensed real estate broker or salesperson is the sole owner."

Page 51, line 34, delete "rights and" and reinstate the stricken language

Page 51, line 35, delete the new language

Page 54, lines 18 and 19, delete the new language

Page 54, lines 26 and 27, delete the new language

Page 57, lines 16 to 18, delete the new language

Pages 58 and 59, delete section 29

Page 59, line 16, delete ", electronic record,"

Page 59, line 17, after the period, insert "The commissioner may accept an application for license transfer made by an electronic agent or an electronic record with an electronic signature if the commissioner has the capability of accepting the application electronically."

Page 65, line 36, strike "CONTINUING"

Page 66, lines 5 to 7, reinstate the stricken language

Page 66, line 14, delete "this" and after "section" insert "82.22, subdivision 6,"

Page 67, delete lines 10 to 18

Page 67, line 19, delete the new language

Page 67, line 24, delete the new language and reinstate the stricken language

Page 67, line 26, delete the new language and reinstate the stricken language and after "Approved" insert "continuing education"

Page 67, line 28, after "All" insert "continuing education"

Page 67, line 33, after the period, insert "The commissioner shall not approve any prelicense instruction courses offered by, sponsored by, or affiliated with any person or company licensed to engage in the real estate business."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 9, delete "subdivision" and insert "subdivisions 3,"

Page 1, line 11, delete "9,"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Civil Law.

The report was adopted.

Gunther from the Committee on Jobs and Economic Development Finance to which was referred:

H. F. No. 2492, A bill for an act relating to economic development; providing a bidding exception for certain federally subsidized transit facilities; amending Minnesota Statutes 2002, section 469.015, subdivision 4.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Transportation Finance without further recommendation.

The report was adopted.

Boudreau from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 2499, A bill for an act relating to human services; placing limitations on scholarship recipients; amending Minnesota Statutes 2003 Supplement, section 256B.431, subdivision 36.

Reported the same back with the following amendments:

Page 2, line 26, after the period, insert:

"An employer shall not require reimbursement if a recipient voluntarily terminated employment because: (1) the facility at which the recipient was employed did not have an opening in a higher job classification related to the recipient's course of study; or (2) the recipient's spouse had to relocate for reasons related to employment."

With the recommendation that when so amended the bill pass.

The report was adopted.

Bradley from the Committee on Health and Human Services Finance to which was referred:

H. F. No. 2533, A bill for an act relating to health; increasing the tax on tobacco products; reducing the MinnesotaCare tax on health care providers; eliminating the Minnesota Comprehensive Health Association assessment; appropriating money; amending Minnesota Statutes 2002, sections 295.52, subdivisions 1, 1a, 2, 3; 297F.05, subdivisions 3, 4; Minnesota Statutes 2003 Supplement, sections 297F.05, subdivision 1; 297F.10, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 62E.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Taxes.

The report was adopted.

Davids from the Committee on Commerce, Jobs and Economic Development to which was referred:

H. F. No. 2554, A bill for an act relating to insurance; health and accident; regulating certain dependent coverage; amending Minnesota Statutes 2002, sections 62A.042; 62C.14, subdivision 14.

Reported the same back with the following amendments:

Page 2, line 16, after the period, insert "Benefits for individuals age 19 up to the limiting age for coverage of the dependent are limited to inpatient or outpatient expenses arising from medical and dental treatment that was scheduled or initiated prior to the dependent turning age 19."

Page 3, line 17, after the period, insert "Benefits for individuals age 19 up to the limiting age for coverage of the dependent are limited to inpatient or outpatient expenses arising from medical and dental treatment that was scheduled or initiated prior to the dependent turning age 19."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Health and Human Services Policy.

The report was adopted.

Sykora from the Committee on Education Policy to which was referred:

H. F. No. 2561, A bill for an act relating to education; modifying certain pupil transportation requirements; amending Minnesota Statutes 2002, sections 169.01, subdivision 6; 169.442, subdivisions 1, 5; 169.443, subdivisions 1, 2; 169.4503, subdivision 16; Minnesota Statutes 2003 Supplement, sections 123B.90, subdivision 2; 123B.93; 171.321, subdivision 5; repealing Minnesota Statutes 2002, section 169.4503, subdivision 21.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2003 Supplement, section 123B.90, subdivision 2, is amended to read:

Subd. 2. [STUDENT TRAINING.] (a) Each district must provide public school pupils enrolled in kindergarten through grade 10 with age-appropriate school bus safety training, as described in this section, of the following concepts:

- (1) transportation by school bus is a privilege and not a right;
- (2) district policies for student conduct and school bus safety;
- (3) appropriate conduct while on the school bus;
- (4) the danger zones surrounding a school bus;
- (5) procedures for safely boarding and leaving a school bus;
- (6) procedures for safe street or road crossing; and
- (7) school bus evacuation.

(b) Each nonpublic school located within the district must provide all nonpublic school pupils enrolled in kindergarten through grade 10 who are transported by school bus at public expense and attend school within the district's boundaries with training as required in paragraph (a).

(c) Students enrolled in kindergarten through grade 6 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training competencies by the end of the third week of school. Students enrolled in grades 7 through 10 who are transported by school bus and are enrolled during the first or second week of school and have not previously received school bus safety training ~~in kindergarten through grade 6~~ must receive the training or receive bus safety instructional materials by the end of the sixth week of school. Students taking driver's training instructional classes and other students in grades 9 and 10 must receive training in the laws and proper procedures when operating a motor vehicle in the vicinity of a school bus. Students enrolled in kindergarten through grade 10 who enroll in a school after the second week of school and are transported by school bus and have not received training in their previous school district shall undergo school bus safety training or receive bus safety instructional materials within four weeks of the first day of attendance. The school transportation safety director in each district must certify to the superintendent of schools annually that all students transported by school bus within the district have received the school bus safety training according to this section. The principal or other chief administrator of each nonpublic school must certify annually to the school transportation safety director of the district in which the school is located that the school's students transported by school bus at public expense have received training according to this section.

(d) A district and a nonpublic school with students transported by school bus at public expense may provide kindergarten pupils with bus safety training before the first day of school.

(e) A district and a nonpublic school with students transported by school bus at public expense may also provide student safety education for bicycling and pedestrian safety, for students enrolled in kindergarten through grade 5.

(f) A district and a nonpublic school with students transported by school bus at public expense must make reasonable accommodations for the school bus safety training of pupils known to speak English as a second language and pupils with disabilities.

(g) The district and a nonpublic school with students transported by school bus at public expense must provide students enrolled in kindergarten through grade 3 school bus safety training twice during the school year.

(h) A district and a nonpublic school with students transported by school bus at public expense must conduct a school bus evacuation drill at least once during the school year.

Sec. 2. Minnesota Statutes 2002, section 168.012, subdivision 10, is amended to read:

Subd. 10. [EXEMPTION DETERMINED BY USE.] If a vehicle is used for a purpose which would make it exempt pursuant to subdivision 1 but title is held by a seller or a vendor or is assigned to a third party under a lease agreement or a lease purchase agreement or installment sale permitted under section 465.71, exemption shall be determined by the use rather than the holder of the title.

Sec. 3. Minnesota Statutes 2002, section 169.01, subdivision 6, is amended to read:

Subd. 6. [SCHOOL BUS.] "School bus" means a motor vehicle used to transport pupils to or from a school defined in section 120A.22, or to or from school-related activities, by the school or a school district, or by someone under an agreement with the school or a school district. A school bus does not include a motor vehicle transporting children to or from school for which parents or guardians receive direct compensation from a school district, a motor coach operating under charter carrier authority, a transit bus providing services as defined in section 174.22, subdivision 7, a multifunction school activity bus as defined by federal motor vehicle safety standards, or a vehicle otherwise qualifying as a type III vehicle under paragraph (5), when the vehicle is properly registered and insured and being driven by an employee or agent of a school district for nonscheduled or nonregular transportation. A school bus may be type A, type B, type C, or type D, or type III as follows:

(1) A "type A school bus" is a van conversion or body bus constructed upon a van type or utilizing a cutaway front section vehicle with a left-side driver's door, ~~designed for carrying more than ten persons.~~ The entrance door is behind the front wheels. This definition includes two classifications: type A-I, with a gross vehicle weight rating (GVWR) ~~over less than or equal to~~ less than or equal to 10,000 pounds; and type A-II, with a GVWR ~~of greater than~~ greater than 10,000 pounds ~~or less.~~

(2) A "type B school bus" is ~~a conversion or body constructed and installed upon a van or front section vehicle chassis, or utilizing a~~ stripped chassis, ~~with a gross vehicle weight rating of more than 10,000 pounds, designed for carrying more than ten persons.~~ Part of the engine is beneath or behind the windshield and beside the driver's seat. The entrance door is behind the front wheels. This definition includes two classifications: type B-I, with a GVWR less than or equal to 10,000 pounds; and type B-II, with a GVWR greater than 10,000 pounds.

(3) A "type C school bus" is ~~a body installed upon a flat back cowl constructed utilizing a~~ chassis with a gross vehicle weight rating of more than 10,000 pounds, ~~designed for carrying more than ten persons.~~ ~~All of the engine is in front of the windshield and~~ hood and front fender assembly. The entrance door is behind the front wheels. A type C school bus has a maximum length of 45 feet.

(4) A "type D school bus" is ~~a body installed upon a~~ constructed utilizing a stripped chassis, ~~with the engine mounted in the front, midship or rear, with a gross vehicle weight rating of more than 10,000 pounds, designed for carrying more than ten persons.~~ The engine may be behind the windshield and beside the driver's seat; it may be at ~~the rear of the bus, behind the rear wheels, or midship between the front and rear axles.~~ The entrance door is ahead of the front wheels. A type D school bus has a maximum length of 45 feet.

(5) Type III school buses and type III Head Start buses are restricted to passenger cars, station wagons, vans, and buses having a maximum manufacturer's rated seating capacity of ten or fewer people, including the driver, and a gross vehicle weight rating of 10,000 pounds or less. In this subdivision, "gross vehicle weight rating" means the

value specified by the manufacturer as the loaded weight of a single vehicle. A "type III school bus" and "type III Head Start bus" must not be outwardly equipped and identified as a type A, B, C, or D school bus or type A, B, C, or D Head Start bus. A van or bus converted to a seating capacity of ten or fewer and placed in service on or after August 1, 1999, must have been originally manufactured to comply with the passenger safety standards.

Sec. 4. Minnesota Statutes 2002, section 169.01, subdivision 75, is amended to read:

Subd. 75. [COMMERCIAL MOTOR VEHICLE.] (a) "Commercial motor vehicle" means a motor vehicle or combination of motor vehicles used to transport passengers or property if the motor vehicle:

(1) has a gross vehicle weight of more than 26,000 pounds;

(2) has a towed unit with a gross vehicle weight of more than 10,000 pounds and the combination of vehicles has a combined gross vehicle weight of more than 26,000 pounds;

(3) is a bus;

(4) is of any size and is used in the transportation of hazardous materials, except for those vehicles having a gross vehicle weight of 26,000 pounds or less while carrying in bulk tanks a total of not more than 200 gallons of petroleum products and liquid fertilizer; or

(5) is outwardly equipped and identified as a school bus, except for type ~~A-II~~ A-I and type III school buses as defined in subdivision 6.

(b) For purposes of chapter 169A:

(1) a commercial motor vehicle does not include a farm truck, fire-fighting equipment, or recreational equipment being operated by a person within the scope of section 171.02, subdivision 2, paragraph (b); and

(2) a commercial motor vehicle includes a vehicle capable of or designed to meet the standards described in paragraph (a), clause (2), whether or not the towed unit is attached to the truck-tractor at the time of the violation or stop.

Sec. 5. Minnesota Statutes 2002, section 169.442, subdivision 1, is amended to read:

Subdivision 1. [SIGNALS REQUIRED.] A type A, B, C, or D school bus must be equipped with ~~a~~ at least one stop-signal arm, prewarning flashing amber signals, and flashing red signals.

Sec. 6. Minnesota Statutes 2002, section 169.442, subdivision 5, is amended to read:

Subd. 5. [WHITE STROBE LAMPS ON CERTAIN BUSES TRANSPORTING CHILDREN.] (a) Notwithstanding sections 169.55, subdivision 1; 169.57, subdivision 3, paragraph (b), or other law to the contrary, a school bus that is subject to and complies with the equipment requirements of subdivision 1 and section 169.441, subdivision 1, or a Head Start bus that is not a type III bus defined in section 169.01, subdivision 6, may be equipped with a ~~360-degree, flashing strobe lamp that emits a white light with a flash rate of 60 to 120 flashes a minute.~~ The lamp may be used only as provided in this subdivision.

(b) ~~The strobe lamp must be of a double flash type certified to the commissioner of public safety by the manufacturer as being weatherproof and having a minimum effective light output of 200 candelas as measured by the Blondel-Rey formula. The lamp must be permanently mounted on the longitudinal centerline of the bus roof not less than two feet nor more than seven feet forward of the rear roof edge. It must operate from a separate switch containing an indicator lamp to show when the strobe lamp is in use.~~

(c) The strobe lamp may be lighted only when atmospheric conditions or terrain restrict the visibility of school bus lamps and signals or Head Start bus lamps and signals so as to require use of the bright strobe lamp to alert motorists to the presence of the school bus or Head Start bus. A strobe lamp may not be lighted unless the school bus or Head Start bus is actually being used as a school bus or Head Start bus.

Sec. 7. Minnesota Statutes 2002, section 169.443, subdivision 1, is amended to read:

Subdivision 1. [USING BUS SIGNALS.] A driver of a school bus shall activate the prewarning flashing amber signals of the bus before stopping to load or unload school children. The driver shall activate and continuously operate the amber signals for a distance of at least 100 feet before stopping in a speed zone of 35 miles per hour or less and at least 300 feet before stopping in a speed zone of more than 35 miles per hour. On stopping for this purpose, the driver shall extend the stop-signal arm system and activate the flashing red signals. The driver shall not retract the stop-signal arm system nor extinguish the flashing red signals until loading or unloading is completed, students are seated, and children who must cross the roadway are safely across.

Sec. 8. Minnesota Statutes 2002, section 169.443, subdivision 2, is amended to read:

Subd. 2. [USE OF STOP-SIGNAL ARM.] (a) The stop-signal arm system of a school bus must be used in conjunction with the flashing red signals only when the school bus is stopped on a street or highway to load or unload school children.

(b) A local authority, including the governing body of an Indian tribe, may by ordinance require that a school bus activate the stop-signal arm system and flashing red signals while stopped to unload school children at a location other than a location on a street or highway. The ordinance must designate each location where the requirement is imposed. The requirement is effective only if the local authority has erected signs at or near the location to provide adequate notice that other vehicles are required to obey section 169.444, subdivision 1, when those signals are activated.

Sec. 9. Minnesota Statutes 2002, section 169.4501, subdivision 1, is amended to read:

Subdivision 1. [NATIONAL STANDARDS ADOPTED.] Except as provided in sections 169.4502 and 169.4503, the construction, design, equipment, and color of types A, B, C, and D school buses used for the transportation of school children shall meet the requirements of the "bus chassis standards" and "bus body standards" in the ~~1995 revised 2000~~ edition of the "~~National Standards for School Buses and School Bus Operations Transportation Specifications and Procedures~~" adopted by the ~~Twelfth~~ National Conference on School Transportation. Except as provided in section 169.4504, the construction, design, and equipment of types A, B, C, and D school buses used for the transportation of students with disabilities also shall meet the requirements of the "specially equipped school bus standards" in the ~~1995 2000~~ National ~~Standards for School Buses and School Bus Operations Transportation Specifications and Procedures~~. The "bus chassis standards," "bus body standards," and "specially equipped school bus standards" sections of the ~~1995 revised 2000~~ edition of the "~~National Standards for School Buses and School Bus Operations Transportation Specifications and Procedures~~" are incorporated by reference in this chapter.

Sec. 10. Minnesota Statutes 2002, section 169.4501, subdivision 2, is amended to read:

Subd. 2. [APPLICABILITY.] (a) The standards adopted in this section and sections 169.4502 and 169.4503, govern the construction, design, equipment, and color of school buses used for the transportation of school children, when owned or leased and operated by a school or privately owned or leased and operated under a contract with a school, ~~and these standards must be made a part of that contract by reference~~. Each school, its officers and employees, and each person employed under the contract is subject to these standards.

(b) The standards apply to school buses manufactured after ~~December 31, 1997~~ October 31, 2004. Buses complying with ~~these~~ the standards when manufactured need not comply with standards established later except as specifically provided for by law.

(c) A school bus manufactured on or before ~~December 31, 1997~~ October 31, 2004, must conform to the Minnesota standards in effect on the date the vehicle was manufactured except as specifically provided for in law.

(d) A new bus body may be remounted on a used chassis provided that the remounted vehicle meets state and federal standards for new buses which are current at the time of the remounting. Permission must be obtained from the commissioner of public safety before the remounting is done. A used bus body may not be remounted on a new or used chassis.

Sec. 11. Minnesota Statutes 2002, section 169.4502, subdivision 11, is amended to read:

Subd. 11. [TIRE AND RIM.] The use of multipiece rims or tube-type tires is not permitted on school buses manufactured after October 31, 2004. Radial and bias-ply tires shall not be used on the same axle. Front tire tread depth shall not be less than 4/32 inch in any major tire tread groove. Rear tire tread shall not be less than 2/32 inch. Tires must be measured in three locations around the tire, in two adjoining grooves. No recapped tires shall be used on the front wheels. Recapped tires are permitted on the rear wheels.

Sec. 12. Minnesota Statutes 2002, section 169.4503, subdivision 5, is amended to read:

Subd. 5. [~~COLORS AND REFLECTIVE MATERIALS.~~] Fenderettes may be black. The beltline may be painted yellow over black or black over yellow. The rub rails shall be black. ~~The reflective material on the sides of the bus body shall be at least one inch but not more than two inches in width. This reflective material requirement and the requirement that "SCHOOL BUS" signs have reflective material as background are effective for buses manufactured after January 1, 1996.~~

Sec. 13. Minnesota Statutes 2002, section 169.4503, subdivision 14, is amended to read:

Subd. 14. [INSULATION.] (a) ~~Ceilings and walls shall be insulated to a minimum of 1-1/2 inch fiberglass and installed so the insulation does not compact or sag. Floor insulation must be nominal 19/32 inches thick plywood, or a material of equal or greater strength and insulation R value that equals or exceeds properties of exterior type softwood plywood, C-D grade as specified in standard issued by the United States Department of Commerce. Type A-II buses must have a minimum of one-half inch plywood. All exposed edges on plywood shall be sealed. Every school bus shall be constructed so that the noise level taken at the ear of the occupant nearest to the primary vehicle noise source shall not exceed 85 dba when tested according to procedures in the 1995 National Standards for School Buses and School Bus Operations. Thermal insulation is required. It shall be fire-resistant, UL approved, with minimum R-value of 5.5. Insulation shall be installed so as to prevent sagging.~~

(b) ~~The underside of metal floor may be undercoated with polyurethane floor insulation, foamed in place. The floor insulation must be combustion resistant. The authorization in this paragraph does not replace the plywood requirement. Floor insulation is required. It shall be five-ply nominal five-eighths inch-thick plywood, and shall equal or exceed properties of the exterior-type softwood plywood, C-D Grade, as specified in the standard issued by United States Department of Commerce. All exposed edges on plywood shall be sealed. Type A-I buses shall be equipped with nominal one-half inch-thick plywood or equivalent material meeting the above requirements. Equivalent material may be used to replace plywood, provided it has an equal or greater insulation R value, deterioration, sound abatement, and moisture resistance properties.~~

Sec. 14. Minnesota Statutes 2002, section 169.4503, subdivision 16, is amended to read:

Subd. 16. [LAMPS AND SIGNALS.] (a) ~~Each school bus shall be equipped with a system consisting of four red signal lamps designed to conform to SAE Standard J887, and four amber signal lamps designed to that standard, except for color, and except that their candlepower must be at least 2 1/2 times that specified for red turn signal lamps. Both red and amber signal lamps must be installed in accordance with SAE Standard J887, except that each amber signal lamp must be located near each red signal lamp, at the same level, but closer to the centerline of the bus. The system must be wired so that the amber signal lamps are activated only by hand operation, and if activated, are automatically deactivated and the red signal lamps are automatically activated when the bus entrance door is opened. Signal lamps must flash alternately. Each signal lamp must flash not less than 60 nor more than 120 flashes per minute. The "on" period must be long enough to permit filament to come up to full brightness. There must be a pilot lamp which goes on when the respective amber or red system is activated. The pilot lamp must either go out or flash at an alternate rate in the event the system is not functioning normally. The signal lamp system must include a closed control box. The box must be as small as practical, and must be easily dismantled or partially disassembled to provide access for maintenance purposes. The control panel box shall be arranged such that the momentary activating switch for the eight-lamp warning system shall be located on the left, the red (or red and amber) pilot light shall be located in the middle, and the eight-way master switch shall be located on the right. The control box must be securely mounted to the right of the steering wheel, within easy unobstructed reach of the driver. Switches and pilot lamp must be readily visible to the driver. The activating switch may be self-illuminated. Other warning devices or lamp controls must not be placed near the lamp control. The stop arm shall extend automatically whenever the service entrance door is opened and the eight-way lights are activated.~~

~~(b)~~ If installed, a white flashing strobe shall be of a double flash type and have minimum effective light output of 200 candelas. No roof hatch can be mounted behind the strobe light.

~~(c)~~ Type B, C, and D buses shall have an amber clearance lamp with a minimum of four candlepower mounted on the right side of the body at approximately seat level rub rail height just to the rear of the service door and another one at approximately opposite the driver's seat on the left side. These lamps are to be connected to operate only with the regular turn signal lamps.

~~(d)~~ (b) All lamps on the exterior of the vehicle must conform with and be installed as required by federal motor vehicle safety standard number 108, Code of Federal Regulations, title 49, part 571.

~~(e)~~ (c) A type A, B, C, or D school bus manufactured for use in Minnesota after December 31, 1994, may not be equipped with red turn-signal lenses on the rear of the bus.

Sec. 15. Minnesota Statutes 2002, section 169.4503, subdivision 20, is amended to read:

Subd. 20. [SEAT AND CRASH BARRIERS.] All restraining barriers and passenger seats shall be covered with a material that has fire retardant or fire block characteristics. ~~All seats must face forward. All seat and crash barriers must be installed according to and conform to federal motor vehicle safety standard number 222, Code of Federal Regulations, title 49, part 571.~~

Sec. 16. Minnesota Statutes 2002, section 169.4503, is amended by adding a subdivision to read:

Subd. 26. [CROSSING CONTROL ARM.] If a bus is equipped with a crossing control arm, an automatic recycling interrupt switch may be installed for temporary disabling of the crossing control arm.

Sec. 17. Minnesota Statutes 2003 Supplement, section 171.321, subdivision 5, is amended to read:

Subd. 5. [ANNUAL EVALUATION AND LICENSE VERIFICATION.] (a) A school district, nonpublic school, or private contractor shall provide in-service training annually to each school bus driver.

(b) A school district, nonpublic school, or private contractor shall annually verify the validity of the driver's license of each ~~person~~ employee who regularly transports students for the district in a type A school bus, a type B school bus, a type C school bus, or type D school bus, or regularly transports students for the district in a type III vehicle with the National Driver Register or with the Department of Public Safety.

Sec. 18. [REPEALER.]

Minnesota Statutes 2002, sections 169.447, subdivision 6; 169.4502, subdivisions 7, 9, 13, and 14; 169.4503, subdivisions 10, 10a, 21, and 25, are repealed effective October 31, 2004."

Delete the title and insert:

"A bill for an act relating to education; modifying certain training and transportation requirements; amending Minnesota Statutes 2002, sections 168.012, subdivision 10; 169.01, subdivisions 6, 75; 169.442, subdivisions 1, 5; 169.443, subdivisions 1, 2; 169.4501, subdivisions 1, 2; 169.4502, subdivision 11; 169.4503, subdivisions 5, 14, 16, 20, by adding a subdivision; Minnesota Statutes 2003 Supplement, sections 123B.90, subdivision 2; 171.321, subdivision 5; repealing Minnesota Statutes 2002, sections 169.447, subdivision 6; 169.4502, subdivisions 7, 9, 13, 14; 169.4503, subdivisions 10, 10a, 21, 25."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Transportation Policy.

The report was adopted.

Sykora from the Committee on Education Policy to which was referred:

H. F. No. 2586, A bill for an act relating to education; providing for immunity from liability for school district and district employee notification of students with a history of violent behavior; amending Minnesota Statutes 2002, section 121A.75, by adding a subdivision; Minnesota Statutes 2003 Supplement, section 121A.64.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Civil Law.

The report was adopted.

Sykora from the Committee on Education Policy to which was referred:

H. F. No. 2587, A bill for an act relating to school safety; allowing certain colors for school safety patrol accessories and flags.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2002, section 121A.34, is amended by adding a subdivision to read:

Subd. 5. [BELTS AND OTHER ACCESSORIES.] Notwithstanding any rule of the commissioner of public safety, vests, sashes, ponchos, and Sam Browne belts worn by school safety patrol members may be fluorescent yellow, fluorescent yellow-green, or blaze orange.

Sec. 2. Minnesota Statutes 2002, section 121A.34, is amended by adding a subdivision to read:

Subd. 6. [SCHOOL SAFETY PATROL FLAGS.] Notwithstanding any rule of the commissioner of public safety, school safety patrol flags may be (1) blaze orange with a yellow octagon bearing the word "Stop" in black letters, or (2) fluorescent yellow or fluorescent yellow-green with an octagon of sharply contrasting color bearing the word "Stop" in black letters.

Delete the title and insert:

"A bill for an act relating to school safety; allowing certain colors for school safety patrol accessories and flags; amending Minnesota Statutes 2002, section 121A.34, by adding subdivisions."

With the recommendation that when so amended the bill pass.

The report was adopted.

Hackbarth from the Committee on Environment and Natural Resources Policy to which was referred:

H. F. No. 2596, A bill for an act relating to natural resources; classifying specific location data; amending Minnesota Statutes 2002, section 13.7931, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 84.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Civil Law.

The report was adopted.

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy to which was referred:

H. F. No. 2609, A bill for an act relating to state employment; modifying affirmative action provisions; amending Minnesota Statutes 2002, sections 43A.02, by adding a subdivision; 43A.19, subdivision 1; repealing Minnesota Rules, part 3900.0400, subpart 11.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Bradley from the Committee on Health and Human Services Finance to which was referred:

H. F. No. 2612, A bill for an act relating to health; repealing the MinnesotaCare tax on wholesale drug distributors; amending Minnesota Statutes 2002, sections 295.50, subdivision 3; 295.53, subdivision 3; 295.582; Minnesota Statutes 2003 Supplement, section 295.53, subdivision 1; repealing Minnesota Statutes 2002, sections 295.50, subdivisions 14, 15; 295.51, subdivision 1a; 295.52, subdivisions 3, 4, 4a; 295.54, subdivisions 2, 3; 295.57, subdivision 5.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Taxes without further recommendation.

The report was adopted.

Erhardt from the Committee on Transportation Policy to which was referred:

H. F. No. 2625, A bill for an act relating to transportation; providing for acquisition of property for transportation purposes; modifying provisions relating to section and quarter-section markers; providing for conveyances of certain lands; acquiring right-of-way from common interest ownership communities; turning back Route No. 268 of the trunk highway system; amending Minnesota Statutes 2002, sections 117.085; 160.15; 161.442; 515B.1-107; 515B.3-102; 515B.3-112; Minnesota Statutes 2003 Supplement, section 13.44, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 161; 174; repealing Minnesota Statutes 2002, sections 117.036; 161.115, subdivision 199.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2003 Supplement, section 13.44, subdivision 3, is amended to read:

Subd. 3. [REAL PROPERTY; APPRAISAL DATA.] (a) [CONFIDENTIAL OR PROTECTED NONPUBLIC DATA.] Estimated or appraised values of individual parcels of real property which are made by personnel of the state, its agencies and departments, or a political subdivision or by independent appraisers acting for the state, its agencies and departments, or a political subdivision for the purpose of selling or acquiring land through purchase or condemnation are classified as confidential data on individuals or protected nonpublic data.

(b) [PRIVATE OR NONPUBLIC DATA.] Appraised values of individual parcels of real property which are made by appraisers working for fee owners or contract purchasers who have received an offer to purchase their property from the state, its agencies and departments, or a political subdivision are classified as private data on individuals or nonpublic data.

(c) [PUBLIC DATA.] The data made confidential or protected nonpublic by the provisions of paragraph (a) shall become public upon the occurrence of any of the following:

(1) ~~the negotiating parties exchange appraisals;~~

(2) the data are submitted to a court appointed condemnation commissioner;

(3) (2) the data are presented in court in condemnation proceedings; or

(4) (3) the negotiating parties enter into an agreement for the purchase and sale of the property; ~~or~~

~~(5) the data are submitted to the owner under section 117.036.~~

Sec. 2. [160.032] [APPRAISAL AND NEGOTIATION REQUIREMENTS APPLICABLE TO ACQUISITION OF PROPERTY FOR TRANSPORTATION PURPOSES.]

Subdivision 1. [APPLICATION.] This section applies to the acquisition of property for public highways, streets, roads, alleys, airports, mass transit facilities, or for other transportation facilities or purposes.

Subd. 2. [APPRAISAL.] (a) Before acquiring an interest in real property, the acquiring authority must obtain at least one appraisal for the property proposed to be acquired. In making the appraisal, the appraiser must confer with one or more of the fee owners or contract purchasers of the property, if reasonably possible. Notwithstanding section 13.44 or any law to the contrary, the acquiring authority must provide the fee owner or contract purchaser with a copy of the appraisal and inform the fee owner or contract purchaser of the fee owner's or contract purchaser's right to obtain an appraisal under this section.

(b) The fee owner or contract purchaser may obtain an appraisal by a qualified appraiser of the property proposed to be acquired. The fee owner or contract purchaser is entitled to reimbursement for the reasonable costs of the appraisal from the acquiring authority up to a maximum of \$1,500 if the fee owner or contract purchaser submits to the acquiring authority the information necessary for reimbursement and a copy of the appraisal within 90 days after receiving the acquiring authority's appraisal. The acquiring authority must pay the reimbursement to the fee owner or contract purchaser within 90 days after receiving a copy of the appraisal and the reimbursement information. Upon agreement between the fee owner or contract purchaser and the acquiring authority, the acquiring authority may pay the reimbursement up to \$1,500 directly to the appraiser.

Subd. 3. [NEGOTIATION.] In addition to the appraisal requirements under subdivision 2, before commencing an eminent domain proceeding, the acquiring authority must make a good faith attempt to negotiate personally with the fee owner or contract purchaser of the property in order to acquire the property by direct purchase instead of the use of eminent domain proceedings. In making this negotiation, the acquiring authority must consider the appraisals in its possession and other information that may be relevant to a determination of damages under this chapter.

Sec. 3. Minnesota Statutes 2002, section 160.15, is amended to read:

160.15 [PRESERVING SECTION OR QUARTER SECTION CORNERS.]

Subdivision 1. [PERMANENT MARKING OF CORNERS.] Whenever the construction, reconstruction, or maintenance of a public street or highway, including city streets, causes the destruction or obliteration of a known section or quarter-section corner marking marker or monument, it shall be the duty of the road authority having jurisdiction over the highway or street to shall provide for the permanent marking of such the corners and to place reference or witness monuments so that the corners can be readily located.

Subd. 2. [MANNER OF PLACEMENT.] The permanent marking of the corners and establishment of reference or witness monuments shall must be in the manner following: At the exact location of the corner there shall must be placed a durable stone, concrete, or metal marker not less than four inches in diameter at the top and not less than 18 inches deep. In the case of a paved highway there shall also be placed over the marker and in the surface of the pavement a metallic plug not less than one inch in diameter and two inches in depth, placed so as not to be disturbed by routine maintenance activities. For a paved highway, a supplemental marker must be placed over the durable monument. The supplemental marker must be visible at the road surface and set in a manner so as not to be disturbed by routine snow plowing. When not practical or safe to set a corner marker in a highway surface, a durable metal marker may be set as a permanent witness monument on the section line or quarter-section line.

Subd. 3. [TIME OF PLACEMENT; MONUMENT OF DURABLE MATERIAL.] Reference or witness monuments evidencing the location of the corner ~~shall~~ must be established before the obliteration of the corner in at least two places most practicable and shall consist of a durable stone, concrete, or ~~cast iron~~ metal marker.

Subd. 4. [FILING OF CERTIFICATE.] The ~~engineer or~~ land surveyor placing and establishing the markers or monuments shall file a certificate to that effect in the office of the county recorder, or in the office of the county surveyor where the county maintains a full-time office, in the county or counties wherein the markers or monuments were placed. Each certificate ~~shall~~ must contain only the record of markers and monuments at one corner. The county recorder may charge a fee of 50 cents for each certificate filed.

Subd. 5. [CONTENTS OF CERTIFICATE.] The certificates ~~shall~~ must be on sheets of durable material, which ~~sheets shall~~ must be ~~in size~~ 8-1/2 by 11 inches with a margin at the left for binding. The certificates ~~shall~~ must contain the following:

- (~~a~~) (1) identification of section; or quarter-section corner;
- (~~b~~) (2) description of monument removed;
- (~~c~~) (3) description of replacement monument;
- (~~d~~) (4) reference ties or witness monuments;
- (~~e~~) (5) statements relating to physical and parol evidence relating to history and authenticity of the corner monument;
- (~~f~~) (6) date of remonumentation; and
- (~~g~~) (7) certification by a registered land surveyor ~~or registered engineer~~.

Subd. 6. [COST OF PLACING MARKERS.] The cost of placing the markers and monuments, including filing fees, ~~shall~~ must be paid out of the respective funds provided by law, or set aside for highway or street purposes.

Sec. 4. Minnesota Statutes 2002, section 161.44, is amended by adding a subdivision to read:

Subd. 4a. [TEN-YEAR EXCEPTION.] Notwithstanding subdivisions 2, 3, and 4, the commissioner is not required to offer to reconvey land no longer needed for trunk highway purposes if the land was acquired by the commissioner at least ten years before the commissioner conveys the land.

Sec. 5. Minnesota Statutes 2002, section 161.44, is amended by adding a subdivision to read:

Subd. 9a. [APPROPRIATION.] Proceeds from the sale or lease of real estate and buildings under this section and sections 161.23 and 161.141 must be paid into the trunk highway fund and are appropriated to the commissioner for paying (1) for the actual cost of selling or leasing the real estate or buildings, (2) for the fees required to be paid under this section and section 161.23, and (3) for the actual cost of construction, reconstruction, or improvement of trunk highways, including (i) consultant usage to support these activities, (ii) payments to landowners for lands acquired for highway rights-of-way, (iii) payments to lessees, (iv) interest subsidies, and (v) relocation expenses. Proceeds are available until expended.

Sec. 6. Minnesota Statutes 2002, section 161.442, is amended to read:

161.442 [RECONVEYANCE TO FORMER OWNER.]

Notwithstanding sections 161.23, 161.41, 161.411, 161.43, 161.44, or any other statute, the commissioner of transportation, with the consent of the owner, or for good cause and with the consent of the court, may transfer, sell, or convey real property including fixtures, and interests in real property including easements, to the owner from whom the property was acquired by the state for trunk highway purposes through a pending eminent domain action. The transfer of title may be by stipulation, partial dismissal, bill of sale, or conveyance. Any resulting change in the state's acquisition must be explained in the final certificate for that action. This provision does not confer on a landowner the right to compel a reconveyance without the consent of the commissioner.

[EFFECTIVE DATE.] This section is effective the day following final enactment.

Sec. 7. Minnesota Statutes 2002, section 515B.1-107, is amended to read:

515B.1-107 [EMINENT DOMAIN.]

(a) If a unit is acquired by eminent domain, or if part of a unit is acquired by eminent domain leaving the unit owner with a remnant which may not practically or lawfully be used for any material purpose permitted by the declaration, the award shall compensate the unit owner and secured party in the unit as their interests may appear, whether or not any common element interest is acquired. Upon acquisition, unless the order or final certificate otherwise provides, that unit's allocated interests are automatically reallocated among the remaining units in proportion to their respective allocated interests prior to the taking, and the association shall promptly prepare, execute, and record an amendment to the declaration reflecting the allocations. Any remnant of a unit remaining after part of a unit is taken under this subsection is thereafter a common element.

(b) Except as provided in subsection (a), if part of a unit is acquired by eminent domain, the award shall compensate the unit owner and secured party for the reduction in value of the unit and its interest in the common elements, whether or not any common elements are acquired. Upon acquisition, unless the order or final certificate otherwise provides, (i) that unit's allocated interests are reduced in proportion to the reduction in the size of the unit, or on any other basis specified in the declaration and (ii) the portion of the allocated interests divested from the partially acquired unit are automatically reallocated to that unit and to the remaining units in proportion to the respective allocated interests of those units before the taking, with the partially acquired unit participating in the reallocation on the basis of its reduced allocated interests.

(c) If part of the common elements is acquired by eminent domain, the association shall accept service of process on behalf of all unit owners and the portion of the award attributable to the common elements taken shall be paid to the association. Unless the declaration provides otherwise, any portion of the award attributable to the acquisition of a limited common element shall be equally divided among the owners of the units to which that limited common element was allocated at the time of acquisition and their secured parties, as their interests may appear or as provided by the declaration.

(d) In any eminent domain proceeding the units shall be treated as separate parcels of real estate for valuation purposes, regardless of the number of units subject to the proceeding.

(e) Any distribution to a unit owner from the proceeds of an eminent domain award shall be subject to any limitations imposed by the declaration or bylaws.

(f) The court order or final certificate containing the final awards shall be recorded in every county in which any portion of the common interest community is located.

Sec. 8. Minnesota Statutes 2002, section 515B.3-102, is amended to read:

515B.3-102 [POWERS OF UNIT OWNERS' ASSOCIATION.]

(a) Except as provided in subsection (b), and subject to the provisions of the declaration or bylaws, the association shall have the power to:

(1) adopt, amend and revoke rules and regulations not inconsistent with the articles of incorporation, bylaws and declaration, as follows: (i) regulating the use of the common elements; (ii) regulating the use of the units, and conduct of unit occupants, which may jeopardize the health, safety or welfare of other occupants, which involves noise or other disturbing activity, or which may damage the common elements or other units; (iii) regulating or prohibiting animals; (iv) regulating changes in the appearance of the common elements and conduct which may damage the common interest community; (v) regulating the exterior appearance of the common interest community, including, for example, balconies and patios, window treatments, and signs and other displays, regardless of whether inside a unit; (vi) implementing the articles of incorporation, declaration and bylaws, and exercising the powers granted by this section; and (vii) otherwise facilitating the operation of the common interest community;

(2) adopt and amend budgets for revenues, expenditures and reserves, and levy and collect assessments for common expenses from unit owners;

(3) hire and discharge managing agents and other employees, agents, and independent contractors;

(4) institute, defend, or intervene in litigation or administrative proceedings (i) in its own name on behalf of itself or two or more unit owners on matters affecting the common elements or other matters affecting the common interest community or, (ii) with the consent of the owners of the affected units on matters affecting only those units;

(5) make contracts and incur liabilities;

(6) regulate the use, maintenance, repair, replacement and modification of the common elements and the units;

(7) cause improvements to be made as a part of the common elements, and, in the case of a cooperative, the units;

(8) acquire, hold, encumber, and convey in its own name any right, title, or interest to real estate or personal property, but (i) common elements in a condominium or planned community may be conveyed or subjected to a security interest only pursuant to section 515B.3-112, or (ii) part of a cooperative may be conveyed, or all or part of a cooperative may be subjected to a security interest, only pursuant to section 515B.3-112;

(9) grant public utility and transportation easements through, over or under the common elements, and, subject to approval by resolution of unit owners other than declarant or its affiliates at a meeting duly called, grant other public or private easements, leases and licenses through, over or under the common elements;

(10) impose and receive any payments, fees, or charges for the use, rental, or operation of the common elements, other than limited common elements, and for services provided to unit owners;

(11) impose charges for late payment of assessments and, after notice and an opportunity to be heard, levy reasonable fines for violations of the declaration, bylaws, and rules and regulations of the association;

(12) impose reasonable charges for the review, preparation and recordation of amendments to the declaration, resale certificates required by section 515B.4-107, statements of unpaid assessments, or furnishing copies of association records;

(13) provide for the indemnification of its officers and directors, and maintain directors' and officers' liability insurance;

(14) provide for reasonable procedures governing the conduct of meetings and election of directors;

(15) exercise any other powers conferred by law, or by the declaration, articles of incorporation or bylaws; and

(16) exercise any other powers necessary and proper for the governance and operation of the association.

(b) Notwithstanding subsection (a) the declaration or bylaws may not impose limitations on the power of the association to deal with the declarant which are more restrictive than the limitations imposed on the power of the association to deal with other persons.

Sec. 9. Minnesota Statutes 2002, section 515B.3-112, is amended to read:

515B.3-112 [CONVEYANCE OR ENCUMBRANCE OF COMMON ELEMENTS.]

(a) In a condominium or planned community, unless the declaration provides otherwise, portions of the common elements may be conveyed or subjected to a security interest by the association if persons entitled to cast at least 67 percent of the votes in the association, including 67 percent of the votes allocated to units not owned by a declarant, or any larger percentage the declaration specifies, approve that action in writing or at a meeting; but all unit owners of units to which any limited common element is allocated must agree in order to convey that limited common element or subject it to a security interest. The declaration may specify a smaller percentage only if all of the units are restricted to nonresidential use.

(b) In a cooperative, unless the declaration provides otherwise, part of a cooperative may be conveyed, or all or a part subjected to a security interest, by the association if persons entitled to cast at least 67 percent of the votes in the association, including 67 percent of the votes allocated to units in which the declarant has no interest, or any larger percentage the declaration specifies, approves that action in writing or at a meeting. If fewer than all of the units or limited common elements are to be conveyed or subjected to a security interest, then all unit owners of those units, or the units to which those limited common elements are allocated, must agree in order to convey those units or limited common elements or subject them to a security interest. The declaration may specify a smaller percentage only if all of the units are restricted to nonresidential use. Any purported conveyance or other voluntary transfer of an entire cooperative is void, unless made pursuant to section 515B.2-119.

(c) The association, on behalf of the unit owners, may contract to convey or encumber an interest in the common elements of a common interest community pursuant to this subsection, subject to the required approval. After the approval has been obtained, the association shall have a power of attorney coupled with an interest to effect the conveyance or encumbrance on behalf of all unit owners in the common interest community, including the power to execute deeds, mortgages, or other instruments of conveyance or security. The instrument conveying or creating the interest in the common interest community shall be recorded and shall include as exhibits (i) an affidavit of the secretary of the association certifying that the approval required by this section has been obtained and (ii) a schedule of the names of all unit owners and units in the common interest community as of the date of the approval.

(d) Except as provided in section 515B.3-102(a)(9), unless made pursuant to this section, any purported conveyance, encumbrance, or other voluntary transfer of common elements, or of any part of a cooperative, is void.

(e) In the case of a conveyance involving a condominium, or a cooperative in which the unit owners' interests are characterized as real estate, the association shall record, simultaneously with the recording of the instrument of conveyance, an amended CIC plat showing the real estate constituting the common interest community exclusive of

the real estate conveyed. In all common interest communities, upon recording of the instrument of conveyance, the declaration, and all rights and obligations arising therefrom, shall be deemed released and terminated as to the real estate conveyed. Conveyances to the state for transportation purposes are exempt from the requirements of this subsection.

(f) A conveyance or encumbrance of common elements, or of a cooperative, pursuant to this section shall not deprive any unit of its rights of support, reasonable access or utility services.

(g) Except as provided in subsection (a), or unless the declaration otherwise provides, a conveyance or encumbrance of common elements pursuant to this section does not affect the priority or validity of preexisting encumbrances.

(h) Any proceeds of the conveyance or creation of a security interest under this section are an asset of the association.

(i) This section shall not apply to any conveyance or encumbrance of any interest in a proprietary lease.

Sec. 10. [REPEALER.]

Subdivision 1. [LAND ACQUIRED FOR TRANSPORTATION PURPOSES.] Minnesota Statutes 2003 Supplement, section 117.036, is repealed.

Subd. 2. [RECEIPTS PAID INTO TRUNK HIGHWAY FUND.] Minnesota Statutes 2002, section 161.44, subdivision 9, is repealed.

Subd. 3. [LEGISLATIVE ROUTE NO. 268 REMOVED.] (a) Minnesota Statutes 2002, section 161.115, subdivision 199, is repealed on the effective date in the notice of transfer issued by the commissioner of transportation transferring jurisdiction of Legislative Route No. 268 to Pipestone County.

(b) The revisor of statutes shall delete the route identified in paragraph (a) from Minnesota Statutes when the commissioner of transportation sends notice to the revisor in writing informing the revisor of the effective date and that the conditions required to transfer the route are satisfied."

Delete the title and insert:

"A bill for an act relating to transportation; providing for acquisition of property for transportation purposes; modifying provisions relating to section and quarter-section markers; providing for conveyances of certain lands; acquiring right-of-way from common interest ownership communities; turning back Route No. 268 of the trunk highway system; amending Minnesota Statutes 2002, sections 160.15; 161.44, by adding subdivisions; 161.442; 515B.1-107; 515B.3-102; 515B.3-112; Minnesota Statutes 2003 Supplement, section 13.44, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 160; repealing Minnesota Statutes 2002, sections 161.115, subdivision 199; 161.44, subdivision 9; Minnesota Statutes 2003 Supplement, section 117.036."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Civil Law.

The report was adopted.

Erhardt from the Committee on Transportation Policy to which was referred:

H. F. No. 2627, A bill for an act relating to transportation; modifying provisions regulating highway safety rest areas and travel information centers; appropriating money; making technical and clarifying changes; amending Minnesota Statutes 2002, sections 160.08, subdivision 7; 160.276; 160.277; 160.278; 160.28; 161.23, subdivision 3; 161.433, subdivision 2; 161.434; proposing coding for new law in Minnesota Statutes, chapter 160.

Reported the same back with the following amendments:

Page 2, line 4, delete "section" and insert "sections 160.272 and"

Page 2, line 26, delete "160.2735" and insert "160.28, subdivision 2,"

Page 3, line 6, delete the first comma and insert "and" and delete the second comma and insert "and services."

Page 3, line 7, delete "and" and insert "The commissioner"

Page 3, after line 13, insert:

"Merchandise that competes with vending machine sales authorized under section 160.28, subdivision 2, is subject to the provisions of subdivision 5."

Page 3, line 21, delete "CREDITED" and insert "DEPOSITED"

Page 3, line 22, delete "credited to" and insert "deposited in"

Page 3, after line 23, insert:

"Subd. 5. [COMPETING MERCHANDISE.] The commissioner and the designated state licensing agency authorized under United States Code, title 20, sections 107 to 107e, shall enter into an interagency agreement before rest areas are leased or before nonvending machine sales occur at rest areas. The interagency agreement must identify what constitutes competing merchandise and establish policies and procedures related to the sale of competing merchandise at rest areas."

Page 4, line 23, after "deposit" insert "in the safety rest area account"

Page 4, line 28, before "The" insert "Money in the account is appropriated to the commissioner."

Page 4, line 29, delete "to fund" and insert "for"

Page 4, line 31, before "services" insert "and" and delete ", and other activities" and insert a period

Page 4, delete lines 32 and 33

Page 5, line 33 to page 6, line 3, reinstate the stricken language

Page 6, line 27, delete "commissioners" and insert "commissioner"

Page 6, line 28, delete "employment and economic development" and insert "director of the Office of Tourism"

Page 7, line 7, strike "tourist" and insert "travel"

Page 16, line 6, after the stricken "planning" insert "the commissioner of administration" and reinstate the comma in both places

Page 16, line 23, before "health" insert "administration."

Page 17, line 36, after "of" insert "administration:"

Page 18, line 23, after "of" insert "Administration,"

Page 20, line 36, after "of" insert "administration."

Page 36, after line 6, insert:

"Sec. 3. Minnesota Statutes 2003 Supplement, section 16E.01, subdivision 3, is amended to read:

Subd. 3. [DUTIES.] (a) The office shall:

(1) coordinate the efficient and effective use of available federal, state, local, and private resources to develop statewide information and communications technology and its infrastructure;

(2) review state agency and intergovernmental information and communications systems development efforts involving state or intergovernmental funding, including federal funding, provide information to the legislature regarding projects reviewed, and recommend projects for inclusion in the governor's budget under section 16A.11;

(3) encourage cooperation and collaboration among state and local governments in developing intergovernmental communication and information systems, and define the structure and responsibilities of the Information Policy Council;

(4) cooperate and collaborate with the legislative and judicial branches in the development of information and communications systems in those branches;

(5) continue the development of North Star, the state's official comprehensive on-line service and information initiative;

(6) promote and collaborate with the state's agencies in the state's transition to an effectively competitive telecommunications market;

(7) collaborate with entities carrying out education and lifelong learning initiatives to assist Minnesotans in developing technical literacy and obtaining access to ongoing learning resources;

(8) promote and coordinate public information access and network initiatives, consistent with chapter 13, to connect Minnesota's citizens and communities to each other, to their governments, and to the world;

(9) promote and coordinate electronic commerce initiatives to ensure that Minnesota businesses and citizens can successfully compete in the global economy;

(10) promote and coordinate the regular and periodic reinvestment in the core information and communications technology infrastructure so that state and local government agencies can effectively and efficiently serve their customers;

(11) facilitate the cooperative development of standards for information systems, electronic data practices and privacy, and electronic commerce among international, national, state, and local public and private organizations; and

(12) work with others to avoid unnecessary duplication of existing services provided by other public and private organizations while building on the existing governmental, educational, business, health care, and economic development infrastructures.

(b) The commissioner of administration in consultation with the commissioner of finance may determine that it is cost-effective for agencies to develop and use shared information and communications technology systems for the delivery of electronic government services. This determination may be made if an agency proposes a new system that duplicates an existing system, a system in development, or a system being proposed by another agency. The commissioner of administration shall establish reimbursement rates in cooperation with the commissioner of finance to be billed to agencies and other governmental entities sufficient to cover the actual development, operating, maintenance, and administrative costs of the shared systems. The methodology for billing may include the use of the technology enterprise fund, interagency agreements, or other means as allowed by law.

(c)(1) A technology enterprise fund is established. Money deposited in the fund is appropriated to the commissioner of administration for the purpose of funding technology projects among government entities that promote cooperation, innovation, and shared use of technology, technology standards, and electronic government services. Savings generated by information technology and communications projects or purchases, including rebates, refunds, discounts, or other savings generated from aggregated purchases of software, services, or technology products, may be deposited in the fund upon agreement by the commissioner of administration and the executive of the government entity generating the funds. The commissioner of administration may apply for and accept grants and contributions from the federal government and other public or private sources for deposit into the fund. The commissioner may use funds deposited in the fund for the actual costs of administering the fund. The transfer of funds between state agencies is subject to approval of the commissioner of finance. The commissioner of finance shall notify the chairs of the committees funding the affected state agencies of the transfers.

(2) By February 1 of each year, the commissioner of administration shall report to the chairs of the finance committees in the senate and house of representatives with jurisdiction over governmental operations on expenditures, including actual administrative costs, and activities under this section.

[EFFECTIVE DATE.] This section is effective the day following final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, delete "4A.06;"

Page 1, line 16, before "40A.121" insert "16E.01, subdivision 3;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on State Government Finance.

The report was adopted.

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy to which was referred:

H. F. No. 2640, A bill for an act relating to insurance; creating a law enforcement agency to deal with insurance fraud; prescribing its powers and duties; establishing insurance assessments to fund the insurance fraud prevention account; amending Minnesota Statutes 2002, sections 45.0135, subdivision 6, by adding subdivisions; 626.84, subdivision 1; repealing Minnesota Statutes 2002, section 45.0135, subdivisions 1, 2.

Reported the same back with the following amendments:

Page 1, after line 10, insert:

"ARTICLE 1
INSURANCE FRAUD PREVENTION"

Page 3, line 24, strike "appropriations" and before "as" insert "money deposited"

Page 3, line 25, delete "6a" and insert "7"

Page 6, after line 11, insert:

"Sec. 11. [EFFECTIVE DATE.]

Sections 1 to 10 are effective the day following final enactment.

ARTICLE 2
AUTO THEFT PREVENTION

Section 1. Minnesota Statutes 2002, section 299A.75, subdivision 1, is amended to read:

Subdivision 1. [PROGRAM DESCRIBED; COMMISSIONER'S DUTIES.] (a) The commissioner of ~~public safety~~ commerce shall:

(1) develop and sponsor the implementation of statewide plans, programs, and strategies to combat automobile theft, improve the administration of the automobile theft laws, and provide a forum for identification of critical problems for those persons dealing with automobile theft;

(2) coordinate the development, adoption, and implementation of plans, programs, and strategies relating to interagency and intergovernmental cooperation with respect to automobile theft enforcement;

(3) annually audit the plans and programs that have been funded in whole or in part to evaluate the effectiveness of the plans and programs and withdraw funding should the commissioner determine that a plan or program is ineffective or is no longer in need of further financial support from the fund;

(4) develop a plan of operation including:

(i) an assessment of the scope of the problem of automobile theft, including areas of the state where the problem is greatest;

(ii) an analysis of various methods of combating the problem of automobile theft;

- (iii) a plan for providing financial support to combat automobile theft;
 - (iv) a plan for eliminating car hijacking; and
 - (v) an estimate of the funds required to implement the plan; and
- (5) distribute money pursuant to subdivision 3 from the automobile theft prevention special revenue account for automobile theft prevention activities, including:
- (i) paying the administrative costs of the program;
 - (ii) providing financial support to the State Patrol and local law enforcement agencies for automobile theft enforcement teams;
 - (iii) providing financial support to state or local law enforcement agencies for programs designed to reduce the incidence of automobile theft and for improved equipment and techniques for responding to automobile thefts;
 - (iv) providing financial support to local prosecutors for programs designed to reduce the incidence of automobile theft;
 - (v) providing financial support to judicial agencies for programs designed to reduce the incidence of automobile theft;
 - (vi) providing financial support for neighborhood or community organizations or business organizations for programs designed to reduce the incidence of automobile theft and to educate people about the common methods of automobile theft, the models of automobiles most likely to be stolen, and the times and places automobile theft is most likely to occur; and
 - (vii) providing financial support for automobile theft educational and training programs for state and local law enforcement officials, driver and vehicle services exam and inspections staff, and members of the judiciary.
- (b) The commissioner may not spend in any fiscal year more than ten percent of the money in the fund for the program's administrative and operating costs. The commissioner is annually appropriated and must distribute the amount of the proceeds credited to the automobile theft prevention special revenue account each year, less the transfer of \$1,300,000 each year to the general fund described in section 168A.40, subdivision 4.

Sec. 2. [TRANSFER OF POWERS.]

The powers and duties of the Department of Public Safety under Minnesota Statutes, section 299A.75, are transferred to the Department of Commerce. Minnesota Statutes, section 15.039, applies to this transfer of powers.

Sec. 3. [REVISOR INSTRUCTION.]

The revisor of statutes shall recodify Minnesota Statutes, section 299A.75, into a chapter of Minnesota Statutes dealing with the Department of Commerce.

Sec. 4. [EFFECTIVE DATE.]

This article is effective July 1, 2004."

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "transferring duties;"

Page 1, line 7, after the semicolon, insert "299A.75, subdivision 1;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Jobs and Economic Development Finance.

The report was adopted.

Boudreau from the Committee on Health and Human Services Policy to which was referred:

H. F. No. 2679, A bill for an act relating to human services; making changes to forensic procedures; specifying patient rights; limiting civilly committed sexual psychopathic personalities and sexually dangerous persons from patients' and residents' bills of rights; amending Minnesota Statutes 2002, sections 243.55, subdivision 1; 253B.02, by adding subdivisions; 253B.03, by adding a subdivision; 253B.18, subdivision 9; 253B.185, by adding a subdivision; Minnesota Statutes 2003 Supplement, sections 246.15, by adding a subdivision; 609.2231, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 253B.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Civil Law.

The report was adopted.

Dauids from the Committee on Commerce, Jobs and Economic Development to which was referred:

H. F. No. 2685, A bill for an act relating to insurance; extending insurance coverage to include surveillance tests for ovarian cancer for women at risk for ovarian cancer; amending Minnesota Statutes 2002, section 62A.30, subdivision 2, by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Health and Human Services Policy.

The report was adopted.

Dempsey from the Committee on Local Government and Metropolitan Affairs to which was referred:

H. F. No. 2694, A bill for an act relating to the Metropolitan Airports Commission; requiring confirmation of members; increasing the duties and compensation range of its chair; amending Minnesota Statutes 2002, sections 473.604, subdivision 1; 473.606, subdivision 2; Minnesota Statutes 2003 Supplement, section 15A.0815, subdivision 3; repealing Minnesota Statutes 2002, section 15A.0815, subdivision 4.

Reported the same back with the following amendments:

Pages 2 and 3, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 2002, section 473.604, subdivision 1, is amended to read:

Subdivision 1. [COMPOSITION.] The commission consists of:

- (1) the mayor of each of the cities, or a qualified voter appointed by the mayor, for the term of office as mayor;
- (2) eight members, appointed by the governor from each of the following agency districts:
 - (i) district A, consisting of council districts 1 and 2;
 - (ii) district B, consisting of council districts 3 and 4;
 - (iii) district C, consisting of council districts 5 and 6;
 - (iv) district D, consisting of council districts 7 and 8;
 - (v) district E, consisting of council districts 9 and 10;
 - (vi) district F, consisting of council districts 11 and 12;
 - (vii) district G, consisting of council districts 13 and 14; and
 - (viii) district H, consisting of council districts 15 and 16.

Each member shall be a resident of the district represented. Before making an appointment, the governor shall consult with each member of the legislature from the district for which the member is to be appointed, to solicit the legislator's recommendation on the appointment;

(3) four members appointed by the governor from outside of the metropolitan area to reflect fairly the various regions and interests throughout the state that are affected by the operation of the commission's major airport and airport system. Two of these members must be residents of statutory or home rule charter cities, towns, or counties containing an airport designated by the commissioner of transportation as a key airport. The other two must be residents of statutory or home rule charter cities, towns, or counties containing an airport designated by the commissioner of transportation as an intermediate airport. ~~The members must be appointed by the governor as follows: one for a term of one year, one for a term of two years, one for a term of three years, and one for a term of four years. All of the terms start on July 1, 1989. The successors of each member must be appointed to four year terms commencing on the first Monday in January of each fourth year after the expiration of the original term.~~ Before making an appointment, the governor shall consult each member of the legislature representing the municipality or county from which the member is to be appointed, to solicit the legislator's recommendation on the appointment; and

(4) a chair appointed by the governor ~~for a term of four years. The chair may be removed who serves~~ at the pleasure of the governor for a term ending with the term of the governor. The appointment of the chair is subject to the advice and consent of the senate as provided in section 15.066.

Sec. 3. Minnesota Statutes 2002, section 473.604, subdivision 2, is amended to read:

Subd. 2. [TERMS OF OFFICE.] Each mayor, or any voter appointed by the mayor instead, shall serve as a commissioner for the term of office of such mayor. The members appointed under subdivision 1, clauses (2) and (3), serve at the pleasure of the governor and, except as provided in subdivision 2a, serve for a term ending with the term of the governor. The office of ~~any~~ a commissioner who is also a member of a city council or board shall

become vacant when ~~for any reason~~ the commissioner ceases to hold the city office to which elected, and the office of ~~any a~~ commissioner shall become vacant upon the occurrence of any event referred to in section 351.02. Except as provided in ~~the preceding sentences of this subdivision,~~ each and subdivision 2a, a commissioner shall serve until a successor is duly appointed and has qualified. Any vacancy in the office of a commissioner shall immediately be filled for the unexpired term, and in such case, or when the term of a commissioner expires, a successor shall be chosen in the same manner as was the predecessor, and the appointment shall be evidenced in the same manner.

Sec. 4. Minnesota Statutes 2002, section 473.604, is amended by adding a subdivision to read:

Subd. 2a. [REAPPORTIONMENT.] The terms of the members appointed under subdivision 1, clause (2), end on the effective date of the redistricting of the districts of the Metropolitan Council, as provided in section 473.123, subdivision 3a. Within 60 days after a redistricting plan takes effect, the governor must appoint new members to the commission from the newly drawn districts to serve terms as provided in subdivision 2."

Page 3, line 15, delete "3" and insert "5"

Page 3, line 30, delete "4" and insert "6"

Page 3, delete section 5 and insert:

"Sec. 7. [EFFECTIVE DATE.]

This act is effective the day following final enactment. Section 2 is effective the day following final enactment and applies to appointments made on or after that date."

Amend the title as follows:

Page 1, line 3, delete "members" and insert "the chair"

Page 1, line 4, after the semicolon, insert "providing for length of terms and time of appointment of members;"

Page 1, line 5, delete "subdivision" and insert "subdivisions"

Page 1, line 6, after "1" insert ", 2, by adding a subdivision"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy.

The report was adopted.

Swenson from the Committee on Agriculture Policy to which was referred:

H. F. No. 2743, A bill for an act relating to agriculture; changing certain restrictions on farming by business organizations; amending Minnesota Statutes 2002, section 500.24, subdivisions 2, 3a.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Civil Law.

The report was adopted.

Davids from the Committee on Commerce, Jobs and Economic Development to which was referred:

H. F. No. 2749, A bill for an act relating to commerce; regulating foreclosure consultants and equity purchasers; regulating contract provisions and notice requirements; providing criminal penalties and civil remedies; amending Minnesota Statutes 2002, section 580.03; proposing coding for new law in Minnesota Statutes, chapter 580; proposing coding for new law as Minnesota Statutes, chapter 325N.

Reported the same back with the following amendments:

Pages 16 and 17, delete section 23

Renumber the sections in sequence and correct the internal references

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Civil Law.

The report was adopted.

Sykora from the Committee on Education Policy to which was referred:

H. F. No. 2765, A bill for an act relating to education; providing for character development education; amending Minnesota Statutes 2002, section 120B.23, as amended; proposing coding for new law in Minnesota Statutes, chapter 120B.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Education Finance.

The report was adopted.

Sykora from the Committee on Education Policy to which was referred:

H. F. No. 2786, A bill for an act relating to education; prohibiting negotiation of teacher contracts during the school year; repealing the January 15 penalty for failing to settle teacher contracts; proposing coding for new law in Minnesota Statutes, chapter 179A; repealing Minnesota Statutes 2002, section 123B.05, subdivisions 2, 3, 4, 5; Minnesota Statutes 2003 Supplement, section 123B.05, subdivision 1.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Education Finance.

The report was adopted.

Holberg from the Committee on Civil Law to which was referred:

H. F. No. 2798, A bill for an act proposing an amendment to the Minnesota Constitution by adding a section to article XIII; recognizing as marriage only a union between one man and one woman.

Reported the same back with the following amendments:

Page 1, delete lines 18 and 19, and insert "that marriage or its legal equivalent is limited to only the union of one man and one woman?"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

Rhodes from the Committee on Governmental Operations and Veterans Affairs Policy to which was referred:

H. F. No. 2800, A bill for an act relating to government data practices; providing for compliance with law by information management systems; providing for classification of, and access to, CriMNet and other criminal justice agency information systems data; amending Minnesota Statutes 2002, sections 13.02, subdivision 18, by adding subdivisions; 13.82, subdivision 24; proposing coding for new law in Minnesota Statutes, chapter 13.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Civil Law.

The report was adopted.

Sykora from the Committee on Education Policy to which was referred:

H. F. No. 2820, A bill for an act relating to education; providing for enhanced reading requirements for certain teachers; providing for literacy specialist licensure; providing for rulemaking; amending Minnesota Statutes 2002, sections 122A.06, subdivision 4; 122A.18, subdivision 2a, by adding a subdivision; Minnesota Statutes 2003 Supplement, section 122A.09, subdivision 4.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1702, 1729, 1754, 1936, 2050, 2168, 2216, 2362, 2425, 2499, 2587 and 2609 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Ellison and Thao introduced:

H. F. No. 2879, A bill for an act relating to appropriations; appropriating money for the Hmong community center in north Minneapolis.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Otremba introduced:

H. F. No. 2880, A bill for an act relating to traffic regulations; requiring mud flaps on sport utility vehicles; amending Minnesota Statutes 2002, sections 169.01, by adding a subdivision; 169.733, subdivision 1.

The bill was read for the first time and referred to the Committee on Transportation Policy.

Otremba, Juhnke, Thao, Murphy, Koenen, Lieder and Eken introduced:

H. F. No. 2881, A bill for an act relating to agriculture; establishing a program to develop cooperatively owned livestock processing plants; establishing a culturally specific livestock processing development program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 41B.

The bill was read for the first time and referred to the Committee on Agriculture Policy.

Otremba; Koenen; Eken; Murphy; Anderson, I.; Lieder and Juhnke introduced:

H. F. No. 2882, A bill for an act relating to human services; modifying the definition of gross income for MinnesotaCare; amending Minnesota Statutes 2002, section 256L.01, subdivision 4.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Otremba, Eken, Koenen and Lieder introduced:

H. F. No. 2883, A bill for an act relating to education; giving statewide recognition to a highly qualified paraprofessional who meets a state-approved local assessment; amending Minnesota Statutes 2003 Supplement, section 120B.363, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education Policy.

Davids and Pelowski introduced:

H. F. No. 2884, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the Rushford Institute for Nanotechnology, Inc. in Rushford.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Nornes, Huntley and Abeler introduced:

H. F. No. 2885, A bill for an act relating to human services; clarifying medical assistance coverage for public health nursing services; amending Minnesota Statutes, section 256B.0625, subdivision 29.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Haas, Rhodes, Murphy and Smith introduced:

H. F. No. 2886, A bill for an act relating to retirement; volunteer firefighter relief associations; creating a task force to study the advantages and disadvantages of the creation of a statewide volunteer firefighter retirement plan; appropriating money.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Marquart; Dorman; Davids; Eken; Heidgerken; Simpson; Lindgren; Fuller; Otremba; Juhnke; Koenen; Peterson; Urdahl; Mahoney; Lieder; Johnson, S.; Thissen; Anderson, I.; Dorn and Solberg introduced:

H. F. No. 2887, A bill for an act relating to property taxes and aids; modifying the city local government aid program; making certain cuts to the market value homestead credit permanent; reinstating a metropolitan transit levy and establishing a metropolitan transit aid program; appropriating money; amending Minnesota Statutes 2002, sections 16A.88, subdivision 2; 297B.09, by adding a subdivision; 473.388, subdivision 4; 473.446, subdivision 1; Minnesota Statutes 2003 Supplement, sections 174.24, subdivision 3b; 273.1384, subdivision 4; 477A.013, subdivision 9; 477A.03, subdivision 2a; proposing coding for new law in Minnesota Statutes, chapters 473; 477A.

The bill was read for the first time and referred to the Committee on Taxes.

Opatz introduced:

H. F. No. 2888, A bill for an act relating to civil law; clarifying state law regarding protection of retirement plan assets of debtors; amending Minnesota Statutes 2002, section 550.37, subdivision 24.

The bill was read for the first time and referred to the Committee on Civil Law.

Westerberg; Haas; Kohls; Johnson, J., and Adolphson introduced:

H. F. No. 2889, A bill for an act relating to insurance; adjusting no-fault automobile insurance medical, death, and disability compensation; amending Minnesota Statutes 2002, section 65B.44, subdivisions 1, 3, 4.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Demmer introduced:

H. F. No. 2890, A bill for an act relating to education; authorizing administrative regions of the Minnesota State High School League to contract with private auditors; amending Minnesota Statutes 2002, section 128C.12, subdivision 1; Minnesota Statutes 2003 Supplement, section 128C.12, subdivision 3; repealing Minnesota Statutes 2002, section 128C.12, subdivision 4.

The bill was read for the first time and referred to the Committee on Education Finance.

Huntley introduced:

H. F. No. 2891, A bill for an act relating to health; providing for the protection of conscience and religious liberty in health care; proposing coding for new law in Minnesota Statutes, chapters 62Q; 145.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Paymar and Hausman introduced:

H. F. No. 2892, A bill for an act relating to traffic regulations; making seat belt violation a primary offense; requiring all passengers to wear a seat belt; imposing petty misdemeanor penalty; dedicating portion of fine revenues to county detoxification services; amending Minnesota Statutes 2002, sections 169.686, subdivisions 1, 3; 171.05, subdivision 2b; 171.055, subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation Policy.

Mahoney; Nelson, M.; Sertich; Rukavina; Solberg and Entenza introduced:

H. F. No. 2893, A bill for an act relating to family law; providing a presumption in favor of joint physical custody; amending Minnesota Statutes 2002, section 518.17, subdivision 2.

The bill was read for the first time and referred to the Committee on Civil Law.

Blaine introduced:

H. F. No. 2894, A bill for an act relating to agriculture; providing for a dairy upgrade pilot loan program; establishing an account; transferring balances; appropriating money; amending Minnesota Statutes 2002, sections 41B.046, subdivision 5; 41B.049, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 41B; repealing Minnesota Statutes 2002, section 41B.046, subdivision 3.

The bill was read for the first time and referred to the Committee on Agriculture Policy.

Severson introduced:

H. F. No. 2895, A bill for an act relating to drivers' licenses; requiring certain applicants for license renewal to pass examinations; requiring physicians to report driving-related physical or mental conditions to commissioner of public safety; making clarifying changes; amending Minnesota Statutes 2002, sections 171.01, by adding a subdivision; 171.13, subdivision 2; 171.131.

The bill was read for the first time and referred to the Committee on Transportation Policy.

Severson introduced:

H. F. No. 2896, A bill for an act relating to education; extending the garage lease levy for Independent School District No. 740, Sartell; amending Laws 2003, First Special Session chapter 9, article 4, section 29.

The bill was read for the first time and referred to the Committee on Education Finance.

Seagren introduced:

H. F. No. 2897, A bill for an act relating to insurance; no-fault automobile; regulating independent medical examinations; amending Minnesota Statutes 2002, section 65B.56, subdivision 1.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Larson, Lesch, Rukavina, Kelliher, Hornstein and Mahoney introduced:

H. F. No. 2898, A bill for an act relating to the Metropolitan Airports Commission; requiring certain labor-related provisions in contracts with concession operators; proposing coding for new law in Minnesota Statutes, chapter 473.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Peterson, Clark, Lenczewski, Greiling and Koenen introduced:

H. F. No. 2899, A bill for an act relating to energy; requiring study on wind energy tax incentives.

The bill was read for the first time and referred to the Committee on Regulated Industries.

Peterson, Clark, Lenczewski, Greiling and Koenen introduced:

H. F. No. 2900, A bill for an act relating to agriculture; establishing a wind turbine loan program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 41B.

The bill was read for the first time and referred to the Committee on Agriculture Policy.

Marquart introduced:

H. F. No. 2901, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for capital flood hazard mitigation in Breckenridge.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance.

Marquart introduced:

H. F. No. 2902, A bill for an act relating to education; requiring students to receive a passing grade in postsecondary enrollment options courses; amending Minnesota Statutes 2002, section 124D.09, subdivision 8.

The bill was read for the first time and referred to the Committee on Education Policy.

Finstad and Heidgerken introduced:

H. F. No. 2903, A bill for an act relating to health; establishing a geographic access standard for pharmacy services; amending Minnesota Statutes 2002, section 62D.124, subdivisions 2, 3, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Hornstein introduced:

H. F. No. 2904, A bill for an act relating to probate; allowing certain individuals to serve as a guardian or conservator under limited circumstances; amending Minnesota Statutes 2003 Supplement, sections 524.5-309; 524.5-413.

The bill was read for the first time and referred to the Committee on Civil Law.

Brod introduced:

H. F. No. 2905, A bill for an act relating to state government; authorizing agency heads to contract with national purchasing organizations for the purchase of goods; amending Minnesota Statutes 2002, section 16C.03, subdivision 3, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Buesgens introduced:

H. F. No. 2906, A bill for an act relating to local government; increasing the efficiency of payroll processing; authorizing the use of electronic time recording systems; amending Minnesota Statutes 2002, section 412.271, subdivision 2.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Fuller introduced:

H. F. No. 2907, A bill for an act relating to retirement; Minnesota State Retirement System general plan; authorizing a general plan deferred annuitant to have employment at Bug-O-Na-Ge-Shig school used for rule of 90 eligibility purposes.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Fuller introduced:

H. F. No. 2908, A bill for an act relating to retirement; Minnesota State Retirement System general plan; authorizing an eligible individual to be covered by the general plan for employment at Bug-O-Na-Ge-Shig school.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Marquart introduced:

H. F. No. 2909, A bill for an act relating to tax increment financing; providing for establishment of redevelopment districts in the city of Detroit Lakes subject to certain rules.

The bill was read for the first time and referred to the Committee on Taxes.

Strachan introduced:

H. F. No. 2910, A bill for an act relating to crime prevention and public safety; adopting a new compact for juveniles and repealing the existing compact; creating an Advisory Council on Interstate Juvenile Supervision; requiring the appointment of a compact administrator; appropriating money; amending Minnesota Statutes 2002, sections 260.52; 260.53; 260.54; 260.55; proposing coding for new law in Minnesota Statutes, chapter 260; repealing Minnesota Statutes 2002, sections 260.51; 260.52; 260.53; 260.54; 260.55.

The bill was read for the first time and referred to the Committee on Judiciary Policy and Finance.

Strachan introduced:

H. F. No. 2911, A bill for an act relating to crime prevention; prohibiting certain types of racing; imposing criminal penalties; amending Minnesota Statutes 2002, section 169.13, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Judiciary Policy and Finance.

Zellers introduced:

H. F. No. 2912, A bill for an act relating to commerce; prohibiting certain deliveries of tobacco products; prescribing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 325F.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Mahoney introduced:

H. F. No. 2913, A bill for an act relating to capital investment; appropriating money for construction and capital improvements to University of Minnesota biobased laboratories; authorizing the issuance of general obligation bonds.

The bill was read for the first time and referred to the Committee on Higher Education Finance.

Severson introduced:

H. F. No. 2914, A bill for an act relating to traffic regulations; imposing petty misdemeanor penalty for certain motor vehicle hit-and-run offenses; amending Minnesota Statutes 2002, section 169.09, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Judiciary Policy and Finance.

Johnson, J., introduced:

H. F. No. 2915, A bill for an act relating to workers' compensation; making technical changes; modifying the definition of "personal injury" to include injury or disease resulting from certain vaccines; authorizing qualifying employees to opt to receive alternative workers' compensation benefits; amending Minnesota Statutes 2002, sections 176.011, subdivisions 15, 16; 176.081, subdivision 1; 176.092, subdivision 1a; 176.102, subdivision 3a; 176.129, subdivisions 1b, 2a, 13; 176.135, subdivisions 1, 7; 176.1351, subdivisions 3, 5, by adding a subdivision; 176.181, by adding a subdivision; 176.1812, subdivision 6; 176.185, subdivision 1; 176.231, subdivision 5; 176.238, subdivision 10; 176.391, subdivision 2; 176.83, subdivision 5.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Kelliher, Paymar, Meslow, Powell, Strachan and Blaine introduced:

H. F. No. 2916, A bill for an act relating to crime victims; appropriating money to the commissioners of health and public safety for crime victim service programs and crime and sexual violence prevention efforts.

The bill was read for the first time and referred to the Committee on Judiciary Policy and Finance.

Opatz and Severson introduced:

H. F. No. 2917, A bill for an act relating to health; setting maximum payment rates for specified county boards for the medical services provided to prisoners; amending Minnesota Statutes 2003 Supplement, section 641.15, subdivision 2.

The bill was read for the first time and referred to the Committee on Judiciary Policy and Finance.

Gerlach introduced:

H. F. No. 2918, A bill for an act relating to commerce; regulating the notarization of electronic signatures and providing for electronically fixing the notary's official signature; prescribing criminal penalties; proposing coding for new law as Minnesota Statutes, chapter 358A.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Hilty introduced:

H. F. No. 2919, A bill for an act relating to human services; decreasing the county share of financial responsibility for precommitment confinement costs for sexually dangerous persons and persons with sexual psychopathic personalities; appropriating money for reimbursements to counties for these costs; amending Minnesota Statutes 2002, section 253B.185, subdivision 5.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Huntley introduced:

H. F. No. 2920, A bill for an act relating to debtor exemptions; modifying provisions relating to exemptions for workers' compensation claims, personal injury claims, and certain employee benefits; amending Minnesota Statutes 2002, sections 176.175, subdivision 2; 550.37, subdivisions 20, 22, 24.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Strachan introduced:

H. F. No. 2921, A bill for an act relating to traffic regulations; safety of emergency workers on highways; defining "appropriate reduced speed" when approaching or passing stopped emergency vehicle in certain circumstances; increasing surcharge on failure to drive at appropriate reduced speed when approaching or passing stopped emergency vehicle; authorizing citation within four hours of offense; proscribing a penalty on owner or lessee of vehicle when driver fails to drive at appropriate reduced speed at the scene of an emergency; requiring certain information to be included in driver education curriculum and driver's manual; amending Minnesota Statutes 2002, sections 169.14, subdivision 3, by adding subdivisions; 171.13, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation Policy.

Greiling introduced:

H. F. No. 2922, A bill for an act relating to education finance; authorizing certain students over the age of 21 who attend a contract alternative program to continue to receive instruction at that school until graduation; amending Minnesota Statutes 2002, section 124D.68, subdivisions 2, 3.

The bill was read for the first time and referred to the Committee on Education Finance.

Gunther, Hackbarth, Simpson, Lindgren, Fuller, Urdahl, Magnus, Swenson, Cornish and Stang introduced:

H. F. No. 2923, A bill for an act relating to public health and safety; establishing a methamphetamine laboratory cleanup revolving fund and authorizing loans to assist counties and cities in conducting methamphetamine lab cleanup; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 145.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Seifert, Krinkie, Sykora and Johnson, J., introduced:

H. F. No. 2924, A bill for an act relating to employment; amending the definition of prevailing wage rate; amending Minnesota Statutes 2002, section 177.42, subdivision 6.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Thissen, Otremba and Wagenius introduced:

H. F. No. 2925, A bill for an act relating to health; requiring agencies to report contaminants to the Department of Health; requiring public notification when drinking water contaminants exceed certain levels; amending Minnesota Statutes 2002, sections 103A.204; 103H.201, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Gerlach and Davids introduced:

H. F. No. 2926, A bill for an act relating to trade regulations; regulating preneed funeral arrangements; amending Minnesota Statutes 2002, section 149A.97, subdivisions 3a, 5; proposing coding for new law in Minnesota Statutes, chapter 149A.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Anderson, I.; Juhnke and Westrom introduced:

H. F. No. 2927, A bill for an act relating to energy; providing that biomass facilities are eligible for renewable energy production incentive; amending Minnesota Statutes 2003 Supplement, section 116C.779, subdivision 2.

The bill was read for the first time and referred to the Committee on Regulated Industries.

Blaine introduced:

H. F. No. 2928, A bill for an act relating to game and fish; modifying annual payments to counties for game refuges; amending Minnesota Statutes 2002, section 97A.061, subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance.

Abrams; Lenczewski; Magnus; Nelson, P.; Dempsey; Ruth; Erhardt; Brod; Lanning; Kohls; Pugh; Atkins and Zellers introduced:

H. F. No. 2929, A bill for an act relating to taxation; income; modifying alternative minimum taxable income; amending Minnesota Statutes 2002, section 290.091, subdivision 3; Minnesota Statutes 2003 Supplement, section 290.091, subdivision 2.

The bill was read for the first time and referred to the Committee on Taxes.

Vandeverer introduced:

H. F. No. 2930, A bill for an act relating to state government; requiring flags in the Capitol area to be flown at half-staff following death of a firefighter killed in the line of duty; proposing coding for new law in Minnesota Statutes, chapter 1.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Gunther, Swenson, Harder and Cornish introduced:

H. F. No. 2931, A bill for an act relating to counties; providing for a rate increase determination for the Martin County nursing facility; amending Minnesota Statutes 2002, section 256B.431, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Anderson, I.; Solberg; Sertich; Thao and Goodwin introduced:

H. F. No. 2932, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for house of representatives office building.

The bill was read for the first time and referred to the Committee on State Government Finance.

Borrell introduced:

H. F. No. 2933, A bill for an act relating to state government; providing for the attorney general to be appointed by the governor; proposing an amendment to the Minnesota Constitution, article V, sections 1, 3, 4, 7; article VIII, section 2; article XI, sections 8, 10; amending Minnesota Statutes 2002, sections 8.01; 9.011, subdivision 1; 9.061, subdivision 3; 10A.25, subdivision 2; 10A.27, subdivision 1; 10A.31, subdivision 5; 10A.323; 11A.03; 94.341; 638.01; Minnesota Statutes 2003 Supplement, sections 4.06; 15.06, subdivision 1; 204B.11, subdivision 1; 204D.10, subdivision 2; 209.01, subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations and Veterans Affairs Policy.

Severson introduced:

H. F. No. 2934, A bill for an act relating to crime prevention; requiring that persons convicted of a second violent felony be sentenced to life imprisonment and that persons convicted of a third violent felony be sentenced to life imprisonment without the possibility of release; amending Minnesota Statutes 2002, sections 244.05, subdivisions 4, 5; 609.1095, subdivision 3.

The bill was read for the first time and referred to the Committee on Judiciary Policy and Finance.

Kelliher, Pelowski, Juhnke and Ellison introduced:

H. F. No. 2935, A bill for an act relating to highways; requiring commissioner of transportation to transfer ownership of certain parking facilities to the city of Minneapolis; amending Minnesota Statutes 2002, section 161.1231, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation Policy.

Hausman, Mahoney and Lesch introduced:

H. F. No. 2936, A bill for an act relating to local government; authorizing the city of St. Paul to participate in the creation of, and to contract with, a nonprofit organization for management and operation of the RiverCentre complex.

The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs.

Thao, Paymar, Huntley and Otremba introduced:

H. F. No. 2937, A bill for an act relating to capital improvements; appropriating money for the Health Care Education and Training Center in the city of St. Paul; authorizing the sale of state bonds.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Mahoney; Nelson, C.; Kahn; Demmer and Osterman introduced:

H. F. No. 2938, A bill for an act relating to economic development; appropriating money for the joint partnership between the University of Minnesota and the Mayo Clinic for research in biotechnology and medical genomics.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Knoblach introduced:

H. F. No. 2939, A bill for an act relating to health; providing for health coverage for Minnesota children with special health needs; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 145.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Nelson, M., and Hilstrom introduced:

H. F. No. 2940, A bill for an act relating to capital improvements; authorizing the sale of state bonds; appropriating money for shoreland stabilization along Shingle Creek in the city of Brooklyn Park.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance.

Samuelson, Nornes and McNamara introduced:

H. F. No. 2941, A bill for an act relating to health; requiring a study of alternatives for providing regulatory oversight of nursing homes.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

Samuelson introduced:

H. F. No. 2942, A bill for an act relating to human services; modifying nursing facility case mix calculations; amending Minnesota Statutes 2002, sections 144.0724, subdivisions 3, 4; 256B.438, subdivision 4.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Ellison, Clark, Mariani, Thao and Walker introduced:

H. F. No. 2943, A bill for an act relating to crime prevention; establishing the crimes of official deprivation of civil rights and pattern of official misconduct; prohibiting racial profiling by law enforcement; requiring the collection and analysis of data and the adoption of policies on racial profiling; requiring that certain information be provided to motorists involved in a traffic stop; requiring law enforcement training in eliminating racial profiling; providing that certain windshield violations are not primary offenses; creating an advisory committee; requiring reports; appropriating money; amending Minnesota Statutes 2002, section 626.9517; Minnesota Statutes 2003 Supplement, section 13.871, subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 609; 626; repealing Minnesota Statutes 2002, sections 626.951; 626.9513.

The bill was read for the first time and referred to the Committee on Judiciary Policy and Finance.

Nelson, M., and Atkins introduced:

H. F. No. 2944, A bill for an act relating to commerce; regulating peddlers and door-to-door solicitors; amending Minnesota Statutes 2002, sections 329.14; 368.01, subdivision 11; 412.221, subdivision 19; proposing coding for new law in Minnesota Statutes, chapter 329A; repealing Minnesota Statutes 2002, section 329.17, subdivision 2.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

Seifert, Finstad, Davids, Solberg, Swenson, Marquart, Hackbarth and Koenen introduced:

H. F. No. 2945, A bill for an act relating to economic development; providing for the reopening of certain historical sites; appropriating money.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Wasiluk, McNamara and Goodwin introduced:

H. F. No. 2946, A bill for an act relating to the environment; requiring a study on compost facilities.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Mahoney introduced:

H. F. No. 2947, A bill for an act relating to children; increasing assessment paid to workforce development fund; authorizing the use of a portion of workforce development money for certain early childhood programs; amending Minnesota Statutes 2002, section 268.022, as amended.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Lipman, Thissen, Pugh, DeLaForest and Westrom introduced:

H. F. No. 2948, A bill for an act relating to consumer protection; providing criminal penalties involving the transmission of certain e-mail messages; classifying a violation of this provision as a designated offense in the forfeiture laws; amending Minnesota Statutes 2002, section 609.531, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 325E.

The bill was read for the first time and referred to the Committee on Commerce, Jobs and Economic Development.

CONSENT CALENDAR

Paulsen moved that the Consent Calendar be continued. The motion prevailed.

CALENDAR FOR THE DAY

Paulsen moved that the Calendar for the Day be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Lipman moved that the names of Rhodes, Haas and Kahn be added as authors on H. F. No. 1703. The motion prevailed.

Anderson, I., moved that the names of Fuller and Lindgren be added as authors on H. F. No. 1740. The motion prevailed.

Hilstrom moved that the name of Lenczewski be added as an author on H. F. No. 1818. The motion prevailed.

Davids moved that the names of Lenczewski and Hilstrom be added as authors on H. F. No. 1844. The motion prevailed.

Bernardy moved that the name of Lenczewski be added as an author on H. F. No. 1906. The motion prevailed.

Klinzing moved that the name of Powell be added as an author on H. F. No. 1915. The motion prevailed.

Abeler moved that the names of Latz and Seifert be added as authors on H. F. No. 1923. The motion prevailed.

Fuller moved that the name of Severson be added as an author on H. F. No. 1989. The motion prevailed.

Urdahl moved that the name of Westerberg be added as an author on H. F. No. 2209. The motion prevailed.

Erhardt moved that the name of Thissen be added as an author on H. F. No. 2210. The motion prevailed.

Tingelstad moved that the name of Meslow be added as an author on H. F. No. 2314. The motion prevailed.

Dorman moved that the name of Jaros be added as an author on H. F. No. 2332. The motion prevailed.

Hoppe moved that the name of Nelson, P., be added as an author on H. F. No. 2368. The motion prevailed.

Dauids moved that the name of Latz be added as an author on H. F. No. 2384. The motion prevailed.

Latz moved that the names of Severson, Meslow and Wardlow be added as authors on H. F. No. 2411. The motion prevailed.

Vandever moved that the name of Lenczewski be added as an author on H. F. No. 2472. The motion prevailed.

Zellers moved that the name of Abeler be added as an author on H. F. No. 2485. The motion prevailed.

Bradley moved that the name of Huntley be added as an author on H. F. No. 2533. The motion prevailed.

Demmer moved that the name of Mullery be added as an author on H. F. No. 2565. The motion prevailed.

Demmer moved that the name of Mullery be added as an author on H. F. No. 2566. The motion prevailed.

Slawik moved that the name of Lenczewski be added as an author on H. F. No. 2583. The motion prevailed.

Ellison moved that the name of Lenczewski be added as an author on H. F. No. 2591. The motion prevailed.

Johnson, S., moved that the name of Cox be added as chief author on H. F. No. 2602. The motion prevailed.

Dill moved that the name of Lenczewski be added as an author on H. F. No. 2608. The motion prevailed.

Tingelstad moved that the names of DeLaForest and Lenczewski be added as authors on H. F. No. 2652. The motion prevailed.

Wagenius moved that the name of Lenczewski be added as an author on H. F. No. 2656. The motion prevailed.

Erhardt moved that the name of Lenczewski be added as an author on H. F. No. 2657. The motion prevailed.

Powell moved that the name of Kohls be added as an author on H. F. No. 2763. The motion prevailed.

Hornstein moved that the names of Lenczewski and Abeler be added as authors on H. F. No. 2789. The motion prevailed.

Knoblach moved that the name of Severson be added as an author on H. F. No. 2807. The motion prevailed.

Bernardy moved that the name of Lenczewski be added as an author on H. F. No. 2809. The motion prevailed.

Newman moved that the names of Lenczewski and Borrell be added as authors on H. F. No. 2817. The motion prevailed.

Pugh moved that the name of Borrell be added as an author on H. F. No. 2824. The motion prevailed.

Wagenius moved that the name of Cox be added as an author on H. F. No. 2835. The motion prevailed.

Knoblach moved that the name of Severson be added as an author on H. F. No. 2867. The motion prevailed.

Blaine moved that the name of Cox be added as an author on H. F. No. 2869. The motion prevailed.

Hausman moved that the name of Cox be added as an author on H. F. No. 2878. The motion prevailed.

Lanning moved that H. F. No. 2231 be recalled from the Committee on Civil Law and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy. The motion prevailed.

Abeler moved that H. F. No. 2436 be recalled from the Committee on Civil Law and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy. The motion prevailed.

Krinkie moved that H. F. No. 2684 be recalled from the Committee on Regulated Industries and be re-referred to the Committee on State Government Finance. The motion prevailed.

Rhodes moved that H. F. No. 2854 be recalled from the Committee on Environment and Natural Resources Policy and be re-referred to the Committee on Governmental Operations and Veterans Affairs Policy. The motion prevailed.

ANNOUNCEMENTS FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Pursuant to rules 1.21 and 1.22, the Committee on Rules and Legislative Administration specified Wednesday, March 10, 2004, as the date after which the 5:00 p.m. deadline no longer applies to the designation of bills to be placed on the Calendar for the Day and to the announcement of the intention to request that bills be placed on the Fiscal Calendar.

Pursuant to rule 3.14, the Committee on Rules and Legislative Administration specified Wednesday, March 10, 2004, as the date after which a notice of intent to move to reconsider must not be made.

ADJOURNMENT

Paulsen moved that when the House adjourns today it adjourn until 3:00 p.m., Thursday, March 11, 2004. The motion prevailed.

Paulsen moved that the House adjourn. The motion prevailed, and Speaker pro tempore Abrams declared the House stands adjourned until 3:00 p.m., Thursday, March 11, 2004.

EDWARD A. BURDICK, Chief Clerk, House of Representatives